



CITY COUNCIL MEETING AGENDA  
TUESDAY MAY 2, 2023

**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 April 18, 2023, Regular City Council Meeting.
- b. Approval of City Council Minutes from the April 18, 2023, Board LBAE City Council Meeting.
- c. Approval of City Council Minutes from the April 11, 2023, City Council Workshop.
- d. Approval of Accounts Payable (Batch # 1; Checks Numbered 21977-21985 and Batch # 2; Checks Numbered 21986-22000).
- e. Large Assembly Permit: Tour de Tonka Bike Ride (Saturday, August 5, 2023).

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. Seasonal Investments, LLC, (Applicant) and 1980 County Road 90 LLC (Owner) request that the City consider the following action for the property located at 1980 County Road 90, Independence, MN (PID No. 23-118-24-32-0011):

- a. **RESOLUTION NO. 23-0502-01** – Resolution approving Site Plan review to allow the proposed development of two new storage buildings on the subject property.

8. Jeffrey Pitzenberger (Applicant/Owner) requests that the City consider the following actions for the property located at 4082 Woodhill Drive, Independence, MN (PID No. 01-118-24-34-0012):

- a. **RESOLUTION NO. 23-0502-02** – Resolution approving a conditional use permit to allow an attached accessory dwelling unit.

9. Open/Misc.



- a. Kuntz Dr. South – Road Discussion
- b. City Council/Planning Commission Schedule and Meeting Dates (Discussion relating to conflicts for meeting dates due to Fourth of July, 2023 Election and summer schedule).

10. Adjourn.



MINUTES OF A REGULAR MEETING OF  
THE INDEPENDENCE CITY COUNCIL  
TUESDAY, APRIL 18, 2023 – 6:30 P.M.  
City Hall Chambers

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 and Councilors McCoy, Betts, and Spencer.

ABSENT: Grotting.

STAFF: City Administrator Kaltsas, City Administrative Director Simon, and WHPS Chief Kroells.

VISITORS: None.

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 April 4, 2023, Regular City Council Meeting.
- b. Approval of City Council Minutes from the April 4, 2023, Board LBAE City Council Meeting.
- c. Approval of Accounts Payable (Batch # 1; Checks Numbered 21933-21957 and Batch # 2; Checks Numbered 21958-21976).
- d. 1<sup>st</sup> Quarter Building Permit Report (For Information Only).

**Motion by Spencer, seconded by McCoy to approve the Consent Agenda. Ayes: Johnson, Betts, McCoy, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

**Spencer attended the following meetings:**



- Workshop
- LMCC Executive Committee meeting – possible future questionnaire & workshop needed.
- Lake Independence Citizens Annual meeting w/ Joe Baker

**McCoy attended the following meetings:**

- Workshop
- Russ Jerde's funeral
- Loretto Fire Dept Breakfast

**Betts attended the following meetings:**

- Workshop
- Hwy 55 Coalition meeting

**Johnson attended the following meetings:**

- Medina City Council
- Mound Historical Society w/ Dr. Pam Myers
- Regional Council Mayors Meeting
- Orono School Board mtg – going out for bonding but not increasing taxes
- Workshop
- West Hennepin Chamber of Commerce
- NW League meeting
- Hwy 55 Corridor Coalition meeting
- Russel Jerde's funeral
- Kirsten Robbins at Farm Bureau
- Loretto Fire Dept Breakfast
- Fire Dept Awards Night

Mayor Johnson was asked to be on the Hennepin County Weed Appeal Committee. He noted that 3 plants were just added to the Prohibited and Eradicate list: Johnsongrass, Pale swallow-wort, and Red hailstone.

Loretto Mayor Kent Koch was to be testifying on the bonding bill for Hwy 55 Corridor Coalition to bring 4 lanes to Co Rd 19, and the Senate was meeting late with lots of amendments to be made so hopefully they got to it.

County Rd 83 utility work began likely to get ahead of the resurfacing and overlay work the County has planned for Co Rd 6 to Hwy 12. Details were noted in the County's Pre-construction meeting agenda which also mentioned Co Rd 29 & Co Rd 19 in their County-wide Road Projects. The Pre-construction meeting will be Tuesday, April 25 at 1 pm.

7. West Hennepin Public Safety Monthly Report for March 2023 – Chief Gary Kroells.

Chief Kroells stated that their department has been more active than last year with Officers working traffic again. In March there were 387 incidents: 236 in Independence and 100 in Maple Plain. A few incidents from his recap of March's activity are below.

March 9<sup>th</sup> at Co Rd 110 and Anderson Estates Rd - driver was stuck in snow with a case of beer, blew a 0.21, was arrested and taken to Hennepin County jail for DWI. March 10<sup>th</sup> at Hwy 12 and Co Rd 92 –



stopped for speeding and equipment violation and found that driver had no insurance, drug paraphernalia, and drugs while carrying 2 handguns which because of the drugs, he was arrested for possession of a firearm by user of a controlled substance. March 13<sup>th</sup> – Investigator assisted locating a missing, elderly male suffering from dementia who'd left home without his phone. The family had put a Tile tracking device on his keychain which pinged his location when he was driving through areas. Eventually we located him driving 40 mph on 94 and connected ND State Patrol to help locate him and meet back up with the family. See his full report in the meeting's packet.

Officer Nick Eldred, who came from Wright County with 18 years of experience, is doing great and is the final few weeks of his field training. They hope to be fully staffed at the end of the month. Citizens Police Academy began April 6<sup>th</sup>, and there are 13 participants. The Citizens Police Academy May 25<sup>th</sup> graduation invites were sent out for former CPA attendees.

Because Mayor Johnson had to miss the North Memorial Ribbon Cutting, Sergeant Denneson had him drive in to see the new Public Works building. North Memorial employees seemed to be settled in. Thanks to Crime Prevention funds and YMCA's donated equipment their health and wellness workout room was nicely set up and in use. The dog kennel had also been donated by our Investigator.

Co Rd 92 between Co Rd 6 and Independence to Co Rd 26 in Minnetrista and Co Rd 50 between Rockford and the Delano Sportsmen's Club in Independence were closed due to flooding, and the County put up barriers.

Our thoughts and prayers go out to Pope County Officer Josh Owen who was killed in the line of duty on April 15<sup>th</sup> near Cyrus. His funeral will be on Saturday, and many of our officers will be attending it in support of his family. So far this year there have been 7 Police Officers shot in Minnesota.

8. Consider Approval of the Town Line Road Joint Powers Agreement (JPA). The Cities of Independence, Medina and Orono have Agreed to Reconstruct Town Line Road from the BNSF Railroad to County Road 6. The JPA Will Formalize the Project.

Kaltsas recapped what had been previously brought up at the recent Council Workshop. Independence is working with the cities of Medina and Orono to possibly reconstruct this road which is shared by all communities. The Cities discussed the cost and were trying to save as much of the road base as possible and improve the rest utilizing a geotextile fabric to stabilize the road. The estimated cost is \$352,000, so split 3 ways, it would cost \$117,000 per city. The City budgeted funds in the 2023 Budget for this instead of taking on additional debt. We would also complete the trail section connecting the new culvert underpass with Hwy 12 and the pedestrian crossing back down to Town Line Rd. The feasibility report was prepared by the City of Medina who has been spearheading it to try to save on extensive engineering costs. The majority of the project will be contracted, but all cities have said that if their city's Public Works staff can help with hauling rock, culvert replacement, etc., they would partner in that.

Johnson stated that this has been a long time coming and the residents will appreciate it when it is completed.

**Motion by Betts, seconded by McCoy to approve the Town Line Road Joint Powers Agreement (JPA). Ayes: Johnson, Betts, McCoy, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**



9. Consider an Amendment to the Quad City Agreement. The Proposed Amendment Will Provide Independence With 27 Additional Residential Sewer Connections for the BridgeVine Subdivision.

Kaltsas stated this agreement would allow connection of 27 residential units to the sewer that runs under Baker Park Rd and Co Rd 19 which is owned by Medina. We have a Quad City Agreement for Loretto, Greenfield, Medina, and Independence. We have gone through a long process to get this amendment. Exhibit B shows the changes of increasing allocation of units and percentage of share for the section of pipe that this area would flow into. The City of Medina asked for a 500 linear foot section of sewer pipe to be included from Independence Rd to Hwy 12 under Baker Park Rd in Maple Plain. This represents a potential constriction point of the overall system that may need to be upgraded to accommodate the entire Quad City area. Medina is proposing that they have the ability to order an improvement to that particular segment (D-5 south 500') in a period of time that is less than the other improvement timeframe. It currently states a 2-year notice, and the amendment would allow 6-months' notice for just this section. They're trying to potentially position the upgrade to correspond with the Co Rd overlay with Baker Park and Co Rd 19, possibly happening next year. We agreed in theory to that. It still has to go through Greenfield and Loretto. Loretto tabled it and is looking for discussion, and Greenfield doesn't have it scheduled yet but anticipates it being within a month.

Johnson shared that Greenfield and Loretto wanted us to continue to negotiate with MetCouncil and Rep. Judy Johnson for the upgrade funding. He asked about the potential increase that Medina would be putting on with the development just North of Holiday gas station. Kaltsas said 150 units were proposed there. Spencer and Kaltsas discussed the number of connections BridgeVine needed. There are two connections on the Otten property now. We asked for 27 in a revised, simplified way.

**Motion by Spencer, seconded by McCoy to approve the amendment to the Quad City Agreement (JPA). Ayes: Johnson, Betts, McCoy, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

10. Consider Approval of Public Works Capital Equipment Purchase in Accordance with Approved Capital Equipment Plan:

- a. Authorization to Purchase and Order the 2023 Case IH Maxxum 125 AD4 STG 5 W Loader and Bomford VFA Hawk Mower for 2024 Delivery.

Kaltsas stated this was discussed at a recent workshop. Every year the City adopts a Capital Equipment Plan. We have this slated for the 2024 Plan, but this equipment's lead time requires a 12–18-month range with some trucks even needing 2 years. In anticipation of that, cities need to place orders well ahead of the fiscal year. This doesn't move up the purchase, it just gets us in line so we can obtain within a reasonable time in the year we planned. We have designated money in 2024 for a tractor and roadside mower. They have test driven equipment from John Deere, New Holland, and Case. Our Public Works crew would like to purchase the Case tractor and Bomford Hawk 6' wide mower. The Hawk mower is a much improved, safer mower. This will allow us to maintain the 100 lane miles of road, ditches, and roadside in a safer, more efficient manner by extending the mower out without having to get into the ditch or side of the road. It is very versatile for mowing and brush clearing, but we need a larger tractor to do this. We would trade in our well-maintained John Deere getting almost \$60,000. 5 or 6 years ago we bought it for not much more than



that. Because of that high trade value, we came in under budget by about \$15,000. The authorization is to allow the ordering for the purchase for 2024.

**Motion by Spencer, seconded by Betts to approve the Capital Equipment Purchase of the tractor and mower. Ayes: Johnson, Betts, McCoy, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

#### 11. Open/Misc

Johnson and Kaltsas discussed the road conditions and that the Public Works crew have been working on them, but the rock pile is being depleted. Gravel pits were not open to get more gravel. Some residents thanked us for the roadwork being done. Road restrictions will continue to be on for a couple more weeks because there is a little frost in the ground. The roads are just not accommodating to the heavy equipment, but they could simply use lighter loads with multiple trucks.

#### 12. Adjourn

**Motion by Betts, seconded by Spencer to adjourn the City Council Meeting at 7:20 pm. Ayes: Johnson, Betts, McCoy, and Spencer. Nays: None. Absent: Grotting. Abstain. None. MOTION DECLARED CARRIED. 4-0**

Meeting Adjourned.

Respectfully submitted,

Linda Johnson, Recording Secretary





RECONVENE – LOCAL BOARD OF APPEAL AND EQUALIZATION (LBAE) MINUTES  
TUESDAY, APRIL 18, 2023  
6:00 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof the Independence City Council/ Local Board of Appeal and Equalization meeting (LBAE) was called to order by Mayor Johnson at 6:00 p.m. in the City Hall Chambers.

2. ROLL CALL

PRESENT: Mayor Johnson and Councilors Betts, Spencer, and McCoy (joined late).  
ABSENT: Grotting.  
STAFF: City Administrator Kaltsas, City Administrative Services Director Simon  
VISITORS: Hennepin County Assessor Joby Rausch and Dave Thompson.

3. Johnson asked if anyone had questions or concerns about the 4-4-2023 LBAE minutes, and there were none.

Rausch said that since last meeting he had viewed 5 more properties and parties are in agreement with him in their valuation. The owners of 4 parcels were in Florida and were unable to have him out, so they are keeping their County level appeal open. Two others will be read today to keep their appeal open. Normally residents must call the Appraiser or attend the Appeal meeting, but he will read in these residents so they may go to the County appeal. Voting “No Change” will also allow property owners to go to the County level. One property had agreed to the value but now has changed his mind. We already did a review on it, so Joby is recommending “no change,” and they can go to the County level. No sales had been given to Joby to prove the valuation adjustment.

**Motion by Johnson, seconded by Betts to recommend no change to property at 6000 Providence Curve - PID 14-118-24-42-0008. Ayes: Johnson, Betts, and Spencer. Nays: None. Abstain: None. Absent: McCoy and Grotting. MOTION DECLARED CARRIED.**

Joby read the 7 properties whose owners had called him. The following homeowners were in agreement with his recommendations to reduce valuations:



01-118-24-24-0024 - 5211 Lake Sarah Hgts Dr – reduced from \$187,200 to \$270,000.  
13-118-24-24-0015 - 2850 Lindgren La – reduced from \$921,300 to \$850,000.  
14-118-24-12-0006 – 6105 Wood Hill La – reduced from \$1,204,100 to \$1,135,000.  
14-118-24-22-0008 – 6270 Wood Hill La - reduced from \$1,021,300 to \$960,000.  
25-118-24-31-0014 – 1111 Co Rd No 19 N - reduced from \$1,030,300 to \$730,000.  
22-118-24-41-0006 – 1889 Co Rd No 90 - reduced from \$2,553,000 to \$2,280,000.  
23-118-24-33-0016 - 6250 US Hwy No 12 - reduced from \$1,500,000 to \$1,180,000.

A few reasons for Joby’s reduction in valuations were characteristic changes in the home or deferred maintenance of the property. One was vacant land. Another at 1111 Co Rd No 19 N was thought to have a CUP on it, but there was none. Because the next owners could not use the property as the current owners do, the “highest and best” use would be Residential. Currently, the tax is split as having both Commercial and Residential. The pole shed is taxed Residential, and the Commercial value increased roughly from about \$90,000 to about \$300,000.

Councilor McCoy had joined the meeting.

**Motion by Betts, seconded by Spencer to approve the valuations listed above per Joby Rausch’s recommendation. Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Abstain: None. Absent: Grotting. MOTION DECLARED CARRIED.**

The following 8 property owners still wanted to meet with Joby and he’s reading them in to keep their County appeal open to them.

14-118-24-41-0004 – 2715 Providence Pl  
14-118-24-41-0005 – 2735 Providence Pl  
15-118-24-14-0006 – 6515 Meadow Ridge  
16-118-24-32-0003 – 7950 Egret Dr  
23-118-24-32-0032 – 1940 Co Rd No 90 #19  
23-118-24- 32-0033 – 1940 Co Rd No 90 #20  
24-118-24-11-0011 – 4915 So Lakeshore Dr  
34-118-24-22-0005 – 7064 Co Rd 6

**Motion by Johnson, seconded by Spencer to make no changes to the valuations for the properties listed above per Joby Rausch’s recommendation. Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Abstain: None. Absent: Grotting. MOTION DECLARED CARRIED.**

Johnson shared that Joby’s property tax article in the Star & Tribune was written very clearly.

**Motion by Betts, seconded by Spencer to close the LBAE meeting. Ayes: Johnson, McCoy, Betts, and Spencer. Nays: None. Abstain: None. Absent: Grotting. MOTION DECLARED CARRIED.**



Meeting adjourned at 6:18 pm.

Respectfully submitted,

Linda Johnson, Recording Secretary



MINUTES OF A WORK SESSION OF THE  
INDEPENDENCE CITY COUNCIL  
TUESDAY, APRIL 11, 2023 – 7:00 AM.  
(City Hall Community Room)

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 7:00 a.m.

2. ROLL CALL

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

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, Public Works Supervisor Bode

VISITORS: WHPS Sergeant Denneson

3. General Administration

a. Pioneer Creek Park Concept Plan

Kaltsas states the city spoke with some local organizations about some options to team up and prepare a concept plan for Pioneer Creek Park with some help from them and the Hennepin County Grant. Last Fall the city talked about the Hennepin County grant but decided to wait to have better plans before submitting to have a better chance of getting a grant. The city tried to gauge interest from organizations and residents of what they wanted to see in that park. The residents were very interested in a pickleball court. The city took the master plan that was done 15+ years ago back to the designer to look at it, what the topography shows, wetlands, how the roads are laid out and how we could fit softball, baseball, lacrosse, soccer, frisbee, a warming house, hockey, bathrooms, pickleball and parking into it. They came up with 3 concept plans that we looked through. Kaltsas said he tried to help pare that down with conversation with the organizations. Ball fields take up the most space. The city classifies this as a community park and should allow multigenerational activity. We have to take into consideration lighting, tournaments, traffic, and the noise up against the residential neighborhood to the North.

Orono baseball wants as many fields as possible, and softball wants a place to host tournaments. I came back with the concept of having 3 softball fields and 1 baseball field. The 4-field layout, or cloverleaf is the best use of space. The entrance drive would have to be pushed to the North a little to accommodate these fields. There are 3 soccer/multi-purpose fields in the back. There are some wetlands on the property on the South side that is significant. The city asked the designers to stay away from the wetlands/trees. The sledding hill is a really nice feature, and we would like to keep it.

Johnson asked about volleyball. Kaltsas said that we have the existing sand volleyball courts, and it may be used more when other events are going on. If both sides of the park were built with fields, there would be a central location for bathrooms, playground, pickleball, warming house, and skating rink. There is also a spot for a possible concession stand inside the baseball/softball cloverleaf. We need more parking stalls that would mostly be due to baseball/softball. There would be 300 parking spots total.



Betts asked what you do with the skating rink in the summer. Kaltsas said it just sits. Some people have said you could use it for other sports, but they don't hold up well for other sports unless you invest a lot of money. Betts asked if it could be used for broomball. Kaltsas said we could have a say in the ground underneath so it would accommodate this.

Betts asked if the trail would be impacted. Kaltsas said no. Grotting asked if it would make sense to have a trail all the way around. Kaltsas said he will put that back in the plans. He said Orono soccer is trying to find an indoor facility. We could partner with them where they would lease the land and manage that facility. We could get a bathroom, concessions, and something for the community. It would be a full field, most of the space where the 3 soccer fields are now. Those facilities are not money makers though. You have to be willing to subsidize that. They have to manage those as a private facility. You need people to market, advertise and sell. Minnetonka Youth hockey built a facility in Victoria, and it just isn't possible to make the money back. We are not in a position to do that. If they put up \$3 million and we did a lease it might be a facility that we could have that would serve our residents. They are good for kids and families. We are in MN where we don't know the weather.

Johnson said you could end up with an empty building as well. Kaltsas said we do pole barns nicely out here. The problem is, it's still a couple million dollars. In talking with these organizations, Orono baseball believes they can bring \$400k to the table. Baseball says they will partner with Orono youth softball to build all of what they want for that cost. Each field is probably \$150k.

Betts asked if it is possible to just do half. Kaltsas said that's what we are thinking. The layout shows the 1 baseball and 3 softball fields. Once kids are 12, they go to the bigger fields. If they were to bring money to the table, how much would we want to be a partner in that? Pickleball is probably \$150k. Prices are higher with concrete right now. Soccer is about \$100k each. We are talking about doing this right, under drainage, topsoil, grading, perimeter drainage to do it right. The grant with Hennepin County is \$500k. You typically have to match whatever they give. We could look at broader grants like the DNR grant. Our park fund today is about \$200k. Within the year I anticipate it being \$400k due to Otten and Koch filing final plat. We are starting to have enough money to get some form of this plan.

Betts said once you get something in there, you will start to draw people in. A lot of people don't know that the park is even there. Kaltsas said if we had a nice road that wasn't wet and muddy, we would get more people. Grotting asked what the maintenance costs annually will be for the city. Kaltsas said we would have to look pretty hard at the arrangements we would need to make. We would want to only mow for maintenance. We also would have to put money away for long-term maintenance. The big one is bathrooms. Betts asked how many parks are still using biffs. Kaltsas said he thinks a lot of parks still use them. Grotting asked if this is something that might have a gate on it, so we don't get people coming in and ruining it. Kaltsas said it would only get gated at night and I think that is a good idea. Grotting said that the biggest thing about the park is that you really can't see what is going on from the road. With the grading plan, if you have the fields visible that would draw people's eye. Kaltsas said we would cut that berm down a little so you can't see. The baseball fields will be fenced anyway. He would want to look at security. He asked Denneson if he has seen anything out there since the video cameras have been installed. Denneson said no.

McCoy said he likes this concept. He said if you bring someone into grade, you should grade it all. Trying to match it up later doesn't make sense. He said figure out the cost and maybe it would offset a bond. Softball pays a pretty significant usage fee right now. I don't think we should say we are not putting bathrooms in the cloverleaf. There are a lot of elderly people that come to these that would need a bathroom close by. Maybe not right away but he suggested putting in the underground requirements for a future bathroom. Denneson said Westonka fields remind me of this. The wheel concept with the concession stands and maintenance in the



middle of it and a couple of bathrooms. They rotated to whatever youth group was out there and they would run the concession as a fundraiser for that sport.

Kaltsas said there is a build cost and an operation cost. Scheduling becomes an issue and how to manage that, the cleanliness, etc. On the build side, my next steps would be to price it if we were to build it. Some of these pieces can move within that. If you start putting in multiple bathrooms that is expensive. Spencer asked if there is any priority or need if we can't build all of it, either turf or fields that are a greater need. Kaltsas said right now it is desire, they just need more. McCoy said that softball doesn't have a home besides the varsity fields. Baseball could go to Maple Plain and softball could come to our field. Spencer said that he graded his share of fields. He asked if this is something we will need to hire two seasonal employees to maintain. Delano had seasonal employees. There are expenses. What is our responsibility, he asked. Kaltsas said our intent is to put together a partnership agreement. One year they might have a couple people doing it and then the next year they might not have anyone, and they will start calling the city to come maintain it. We will have an agreement that says what they need to do. The bases, striping, all of that is their job.

Denneson said that is great, but it is still a city, and you could have other people coming in to use it. Organizations would get priority and we would have to have some slots available for others to use as well for a fee. Grotting asked what the upside of not doing it. Kaltsas said the baseball/softball is your cost primarily. Their fields are different. If we just did soccer and mowed every week, there isn't much expense with that. That's something we can do with the staff we have and resources. McCoy said that softball had 8-9 fields last year for the smaller kids and those fields are not going to be available this coming Fall now.

Grotting asked what the good, better, and best scenarios are. Kaltsas said he would spend the most on types of facilities that would accommodate the most users. He said he wouldn't just build the diamond and parking lot. He would do 2 multi-purpose fields, pickleball and 2 softball fields for different generations. Unless something from hockey fires up, I wouldn't do it. Not many youth organizations want outdoor rinks anymore. The rink is a whole issue too for maintenance. If Orono brings \$500k, then we would be inclined to go all the way. We want to leverage a grant and get a nice start. If we could agree on a master plan, we could start developing it and we could stick to that plan.

McCoy asked if soccer came back and said they want to do it. Kaltsas said you could do everything in there. He told soccer to look at building a pole barn. Johnson said you need a reinforced roof if you have another winter like this one. Spencer said there is a significant part of the community that is in Delano. He asked if this going to be dedicated to Orono. Kaltsas said Delano has great facilities, so they won't need it as much. This isn't our only park, and we should think about land for another park. Spencer said Delano has the same problem that Orono does for scheduling time. Kaltsas said we are going to set up an agreement they are going to be the primary maintenance, the city will have a say. If they came to us with \$500k and they would get 20 years of rent fee and if Delano showed up, they would pay a fee. Spencer said if Orono is the one giving money, they are the ones that would drive it. Kaltsas said we would want a certain percentage of availability to other groups and people. We can reach out to others to get an idea of how this is run in other cities. Spencer said that would end up with a whole Public Works staff and another administrator impacting budget. Kaltsas said he will put costs together and phases. He said he has until Fall to get the grant together. Organizations want to know for fundraisers.

## **b. Medina Sewer Connection and Town Line Road Project Updates**

Kaltsas explains that the city got approved by Medina to amend the quad city agreement for the Otten



development. It is going on tonight's agenda. He said he has a meeting with Mayor Brad Johnson today for Greenfield. Loretto is still a wild card since they are most at stake. Their share is \$130k. I need to get the other communities to agree, then we are in business for Bridgevine. One thing that motivated them was Town Line. We talked to Medina and Orono about upgrading. Medina wanted to partner on that since they have residents on half the road. It has been in poor shape for a long time. The city of Orono has said yes. Medina wants to split it. We programmed to spend the money but said we would pull out if they weren't going to approve Bridgevine.

Spencer asked what the cost was. Kaltsas said it is \$353k is the feasible amount. No one knows where asphalt is coming in at right now. Johnson asked if any fees were collected for the road when the development was put in. Kaltsas said we have \$25k for Deer Ridge. McCoy asked if this is more than an overlay. Kaltsas said it is a reconstruct.

c. Fire District Discussion and Update – Loretto/Hamel JPA Update

Kaltsas said that the JPA got approved for Western Suburban Fire District. He said he talked with Jeff about it and we have a 3 fire department model. Loretto was always a partner we had talked to. They pulled Hamel in. The bigger the fire district, the more efficient it becomes. He asked if there is any interest in modifying our fire boundaries. He said that Kroells has had interest in getting rid of Delano Fire because of the County Line issue. Maple Plain and Loretto also has a better working relationship. With the new update, there is an opportunity for Independence to look at a fire district model vs. a contract model. He said he talked to Maple Plain and their understanding is that their council is definitely interested in a fire district as a model. Independence pays Delano \$70k per year for services. If we eliminate and divide that in Maple Plain and Loretto, there is a \$50k savings. It gets broken back into the formula and that's not going to cost as much. Delano is a hiring full-time fire chief. They are going a different direction all together. Bob Vanlith is retiring this year. It would be a better plan long-term. If we could get Maple Plain to go into that district as well, it would be better for all. For Maple Plain to get into it, the big issue is the retirement plan. When Loretto and Hamel joined, they had to increase the retirement amount. Loretto fire bought in to the Hamel retirement allocation. They agreed on an amount and put a large sum into PERA. Maple Plain is way below that. It is almost double the increase for what fire fighters get from retirement. We are talking about \$1million. I don't see Maple Plain being able to do that. Jeff said we could do this on a timeline, like 5-10 years where you could fold into their retirement. That wouldn't be day one. You wouldn't be eligible right away. Jeff thinks he could cover most of the Delano district. Delano and Maple Plain split County Road 92.

Denneson said in recent past, he has mapped a lot of this with times. Delano is in a tough spot for where they put the fire station downtown. There are traffic issues and getting onto the highway takes a while. Somewhere between Nelson Rd and Copeland Rd is of equal time. Kaltsas asked if there a small lag in the dispatch. Denneson said there is. McCoy said we did extensive mapping and Nelson Rd was that equal spot. For us to go out Hwy 12 and Loretto to go out County Rd 11, Loretto had the same advantage to jump on the Hwy faster. Kaltsas said the JPA offers less expense for staff and other things. It would be an easy way for us to think about more territory with Loretto and Maple Plain. There is a lot of savings potential. Spencer said we talked about this years ago. This makes sense. Even if you left Delano in for County Line. Denneson said eliminate the contract hassle. Kaltsas said Delano didn't give him a budget number and they don't have numbers anymore. McCoy said they have a mandatory 65 out. They are losing 3 or 4 fire fighters. He asked at what point do we want to talk with Maple Plain. Kaltsas said he thinks now is a good time. He would want Jeff and Julie there as well. He asked if Maple Plain would want to be a part of the JPA long-term. Medina wants in to the JPA. It would be Loretto, Medina, Hamel and Independence. He said he thinks Corcoran may play



into that as well since they are losing Rogers. The Rogers chief said they aren't servicing outside the Rogers city limits.

d. Public Works Capital Equipment Planning – Tractor and Ditch Mower Quotations and Discussion

Bode said that the PW staff has driven both pieces of equipment. He said the New Holland is very expensive to maintain every year. The Case worked better for turning radius and to be able to turn on the road would be very beneficial. He said we needed the larger tractor for the mower we are looking at. There is a lot of side leverage, and the larger tractor would keep the tractor on the road and do what they need to in the ditch.

Kaltsas said we have a 2024 capital purchase of a new tractor. If we want to get it, we need to order it now. We would get it next year though. We would take our existing tractor and trade it in and replace it with a new, bigger tractor.

Betts asked if that was the one that was used in the park.

Bode said no, they have used the ditch mower on the sledding hill but have kept it enough to use the mower. Kaltsas said we want a better ditch mower that reaches out. The tractor we have isn't heavy enough to handle that.

Spencer asked if we are still getting good value on trade.

Bode said they agreed to math whatever John Deere would give us on a trade.

Kaltsas said we would still be under budget with our trade. John Deere is further out than Case to get one. It wouldn't come in until January at the earliest. We would bring this back to council for a formal approval.

Grotting asked what the deck size is of the mower.

Bode said it is 72". It's "beefier" than smaller cutting knives.

Johnson said he better take them up on it.

Spencer said that the budget is right. The city has done a good job at forecasting these costs.

Kaltsas said the way we are doing our ditch mowing now is dangerous.

e. Miscellaneous Project Updates

Kaltsas talked about a property that sold recently in Lyndale. The road was vacated in the 1980's. The owner doesn't have an easement to go across the property. The property to the North is being very difficult such as blocking access. The owner to the South gave an easement. The city maintains the gravel road there now. The owner of this property wants to pave it at their own costs. He asked if this is something we should maintain. He said we could pave it and have maintenance agreements with all owners. He hates to give up the ROW, if we could keep it and they just maintain it would be better. If they are willing to do it and we got agreement of the other two property owners, that would be a win. It would cut down on dust. McCoy said it is really odd that it got vacated. Kaltsas said we have looked at it with our attorney and their title and attorney did the same, but it did get vacated. It's up to them to go to court to get an easement. We could keep the ROW to a licensed private street. We wouldn't touch it, plow it or maintain it. We would want the other owners to agree to it being paved though.

#### 4. Adjourn

The Workshop adjourned at 8:42 a.m.



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Respectfully Submitted,  
Amber Simon/ Recording Secretary

DRAFT



# NON-CITY ASSEMBLY PERMIT APPLICATION

## Fees & Definitions:

200+ Attendees (Large Assembly) = \$100
100+ Attendees (Medium Assembly) = \$25
50+ Attendees (Small Assembly) = \$25

(Double fee for application received less than 45 business days prior to event).

**Event Location:** Watertown Rd/CR-6 to CR-17 (toward Delano)

**Type of event:** Tour de Tonka Bike Ride **Number of people:** 2300

**Date:** Saturday, August 5, 2023

☐ Residential ☐ Corporate ☐ Partnership ☒ Group or Association ☐ Other

**Event Holder's Name:** Minnetonka Community Education

Address: 4584 Vine Hill Road, Excelsior, MN 55331

Contact Person: Tim Litfin Phone: 952-401-5043

2<sup>nd</sup> Contact Person: Zach Mink Phone: 952-401-6842

**Security Plans:** We work directly with West Hennepin Public Safety

**Severe Weather Plans** (in the event of): Event staff and public safety staff will monitor the weather conditions and advise event staff to locate to shelter areas if needed. Direct texts/calls to riders/staff available through CRM software.

**Sound Plans** - amplification and sound control: None in Independence  
Outdoor Music ☐ Yes ☒ No - Starting Time AM/PM, Ending Time AM/PM

**Food and Concessions Plans:** None in Independence

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

Restroom Provisions: How many? 0

Lighting - Type: None How many? \_\_\_\_\_

Location of lights: \_\_\_\_\_

**\$1,000,000 Certificate of Liability Insurance**-provide a copy: A copy will be sent to you when they are renewed after July 1, 2021

**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.*

1/6/2023  
Date

Zachary Mink  
Signature of applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of applicant

### Office Use Only

Application Received: \_\_\_\_\_ Application Fee: \_\_\_\_\_ Date Fee Paid: \_\_\_\_\_

Date \$1,000,000 certificate of liability insurance received: \_\_\_\_\_ **\*Our district's annual insurance policy doesn't renew until July 1. On that date, all event stakeholders will receive updated COIs\* Thank you.**

\_\_\_\_\_  
Signature of City Official

\_\_\_\_\_  
Date

Cathy S. Kneels  
Signature of West Hennepin Public Safety

April, 25, 2023

\_\_\_\_\_  
Date



■City of Independence

**Request for Site Plan Review for the  
Property located at 1980 County Road 90**

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*To:* City Council  
*From:* Mark Kaltsas, City Planner  
*Meeting Date:* May 2, 2023  
*Applicant:* Seasonal Investments, LLC  
*Owner:* 1980 Co Rd 90 LLC  
*Location:* 1980 County Road 90

***Request:***

Seasonal Investments, LLC, (Applicant) and 1980 County Road 90 LLC (Owner) request that the City consider the following action for the property located at 1980 County Road 90, Independence, MN (PID No. 23-118-24-32-0011):

- a. Site plan review to allow the proposed development of two new storage buildings on the subject property.

***Property/Site Information:***

The property is located on the east side of CSAH 90 just north of the intersection of County Road 90 and Highway 12. The property is vacant and currently used by Sam's Landscape as an outdoor storage yard. There is a significant wetland located on the east side of the property. The property has the following characteristics:

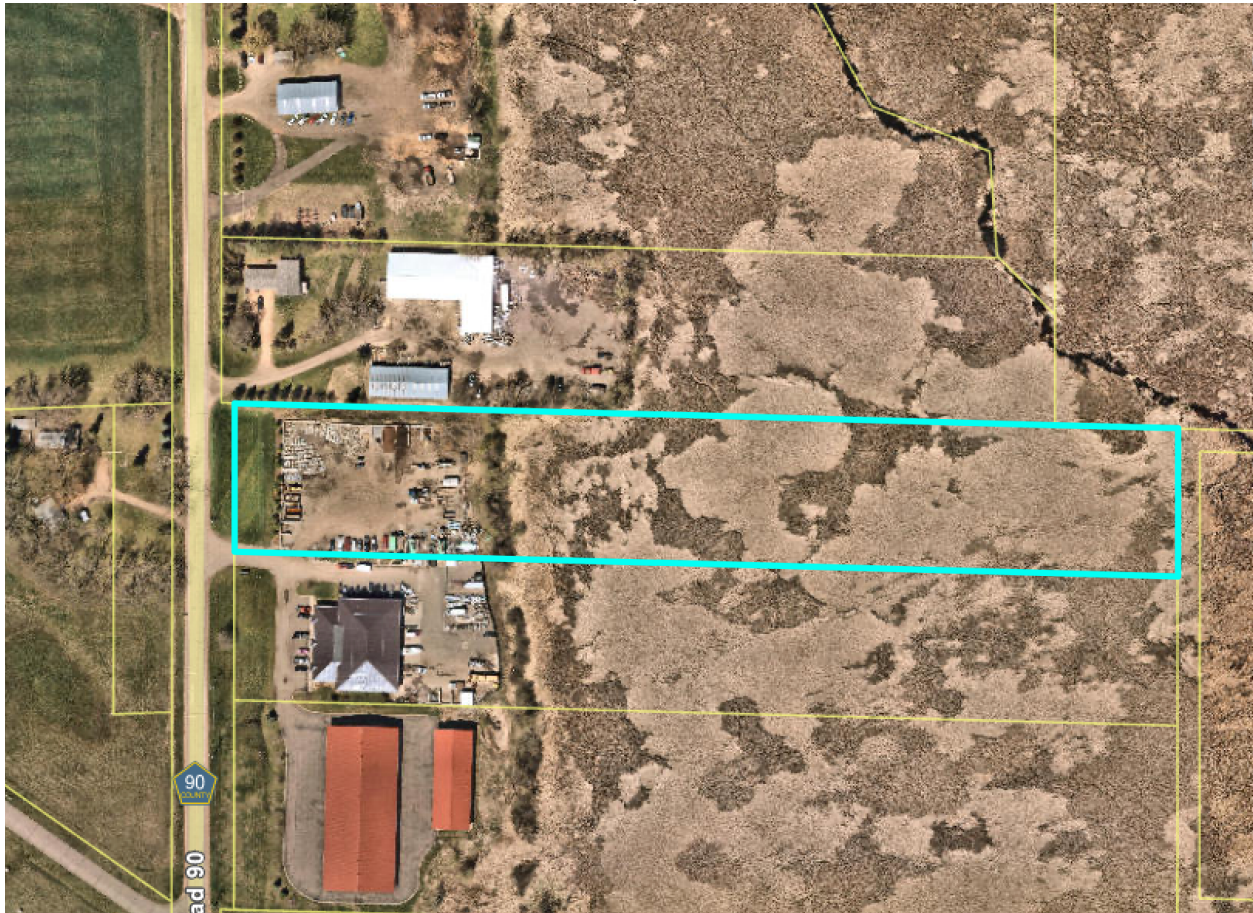
**Property Information: 1980 County Road 90**

Zoning: CLI - *Commercial Light Industrial*

Comprehensive Plan: *Commercial Light Industrial*

Acreage: *5.84 acres*





***Discussion:***

The applicant approached the City about the possibility of developing the property with two new commercial buildings for the purpose of indoor boat storage. The applicant has prepared plans for the proposed development of the site and is now in a position to move forward with the proposed development of two new commercial buildings. The applicant is seeking site plan review approval to allow the construction of two new single-level, 12,000 square foot buildings (total 24,000 SF) and associated site plan improvements. The site improvements include parking areas, outdoor storage areas and landscaping.

The subject property is zoned CLI – Commercial Light Industrial. Warehouse and indoor storage are permitted within the CLI zoning district. The applicant owns and operates a commercial marina, repair and boat storage business and is seeking a location for additional indoor storage. The proposed development would be comprised of two 12,000 SF storage buildings. No outdoor storage is proposed at this time. New construction in the CLI zoning district requires the review and approval of the City. The review considers and analyzes how the proposed development meets the requirements of the zoning ordinance (Sections 530.17 and 530.23).



The City has adopted site and design requirements for commercial development. The City has reviewed the plans as they relate to the required standards provided in the zoning ordinance. The following items should be further considered by the Planning Commission:

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

The applicant is proposing to construct two commercial buildings on the property. Both buildings are proposed to utilize a combination of stone wainscot and stucco panels which would meet all applicable building material requirements. The applicant has provided building elevations and images that provide dimensional and similar details for the proposed buildings. The general character and architecture of the proposed buildings is similar to that of other buildings in the general area.

2. Parking/Drive Access - The applicant is proposing to construct new bituminous access drive that have an ingress/egress coming off of the existing connecting driveway to CSAH 90 used by the adjacent property to the south. The proposed access driveway will also include a concrete curb and gutter perimeter as required by ordinance. The City will require that the applicant furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.

The City initially commented on the driveway and fire department access and the plans have been updated to accommodate a compliant fire apparatus hammerhead.

The proposed use of the site for storage would not require additional off-street parking. Note that this site as proposed would not accommodate general business use and could not be broken down into individual lease spaces in the future. The proposed distance between buildings would not accommodate a drive aisle and parking spaces.



3. Setbacks – The City has the following setback requirements for buildings located in the CLI zoning district:

Required	Proposed
Front yard setback: 100 feet from centerline of road.	100' +
Side yard setback: 20 feet from side lot line.	25' N/20' S
Rear yard setback: 20 feet from rear lot line.	N/A
Setback from boundary of agricultural or rural residential dist.	N/A
Parking Setbacks: 20 feet from front /10 feet from side lot line.	N/A

The proposed buildings would meet all applicable setbacks.

4. Lighting – The applicant has noted wall mounted lighting over each garage door on the site plan. The City requires a photometric plan and detailed cut sheets for the proposed lighting. The City will require this to be submitted and reviewed for compliance prior to City Council consideration.
5. Landscaping - Landscaping is required for new construction within all requisite setback areas. The City has reviewed the proposed landscape plan. The plan generally meets the applicable requirements. The City would request that additional evergreen trees be planted along the east side of the buildings to screen views from the adjacent residential property to the northeast. The City can continue to work with the applicant to revise the plan to meet applicable requirements. Staff is seeking further direction from the Planning Commission relating to the requisite landscaping. Staff recommends that a condition be added to the site plan approval which requires submittal and approval of a final landscape plan.
6. Storm Water Management – The City’s engineer (Hakanson Anderson) has reviewed the plans and prepared comments in a letter dated March 6, 2023, and attached to this letter. The plans will need to be revised to accommodate the engineer’s comments and provide any requested information and or make and revisions and resubmit revised plans as necessary. This project will also require the review and approval of the watershed district. The plans will be revised prior to City Council consideration of the site plan review. The applicant has provided a stormwater management pond in the northwest corner of the site to accommodate runoff and quality control.
7. Lot Coverage - The maximum impervious lot coverage in the CLI zoning district is 30 percent. The overall site is 5.84 acres and impervious surface is broken down as follows:

	SITE AREA (ACRES)	IMPERVIOUS (ACRES)	IMPERVIOUS %
EXISTING CONDITION	5.84	1.17	20.0
PROPOSED CONDITION	5.84	0.90	15.4



The applicant is proposing to cover 15.4% of the proposed site with impervious surface.

The City stipulates the following relating to lot coverage in the zoning ordinance:

*Lot coverage. Impervious lot coverage shall not exceed 30 percent of the lot area. Lot coverage of up to 75 percent may be allowed by conditional use permit provided stormwater run-off and surface drainage is no greater than pre-development rates for one-, ten- and 100-year storm events. Stormwater treatment ponding is required for all developments.*

8. Sanitary Sewer – The proposed buildings will not have any finished interior space and will not have any bathroom facilities or water. There is an existing on-site septic system that would be removed as a part of the building/house demolition. The applicant is not proposing to preserve and or accommodate any on-site septic system which will limit future use of the proposed buildings.

The proposed development of this commercial property generally meets the intent and applicable requirements of the City's CLI zoning district. The City will update the Planning Commission on the building materials and architecture and will be looking for Planning Commission direction and discussion at the meeting. There are several items noted in the report that should be further considered by the Planning Commission. Based on direction from the Planning Commission, additional conditions may be required to be added to the recommendation.

#### ***Neighbor Comments:***

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

#### ***Planning Commission Discussion and Comments:***

Planning Commissioners discussed the requested site plan review and asked questions of staff and the applicant. Commissioners confirmed that the buildings would not be heated. Commissioners discussed the use of the buildings for indoor storage and that the remainder of the site would not accommodate outdoor storage. Commissioners reviewed the building materials and architecture and found the buildings to meet applicable requirements. Commissioners recommended approval of the requested site plan review to the City Council.

#### ***Recommendation:***

The Planning Commission recommended approval of the requested site plan review with the following findings and conditions:



1. The proposed Site Plan Review request meets all applicable conditions and restrictions stated in Chapter V, Section 520.25, Site Plan Approval Procedures, in the City of Independence Zoning Ordinance.
2. City Council approval is subject to the applicant completing the following items:
  - a) The applicant shall submit a final landscape plan.
  - b) The applicant shall submit a final lighting and photometric plan and detailed cut sheets for all proposed building and site lighting.
  - c) The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
  - d) The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
3. The applicant shall furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.
4. No outdoor storage is approved as a part of this approval.
5. Any future development or improvements made to this property will need to be in compliance with all applicable standards relating to the Commercial-Light Industrial zoning district.
6. The applicant shall pay for all costs associated with the City's review of the requested site plan review approval.
7. The City Council resolution shall be recorded against the property.

***Attachments:***

1. Application
2. Site Plan Package
3. Landscape Plan
4. Building Elevations





RESOLUTION OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA

**RESOLUTION NO. 23-0502-01**

**RESOLUTION APPROVING SITE PLAN REVIEW TO ALLOW THE CONSTRUCTION  
OF TWO NEW BUILDINGS AND ASSOCIATED SITE IMPROVEMENTS ON THE  
PROPERTY LOCATED AT 1980 COUNTY ROAD 90 N**

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, Seasonal Investments, LLC (Applicant) and 1980 Co Rd 90 LLC (Owner) are requesting site plan review for the property located at 1980 County Road 90 (PID No. 23-118-24-32-0011) in the City of Independence, MN (the “Property”); and

WHEREAS, the Property is zoned Commercial Light Industrial – CLI; and

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

WHEREAS the requested site plan review meets all requirements, standards and specifications of the City of Independence zoning ordinance for property zoned Commercial Light Industrial - CLI; and

WHEREAS the Planning Commission held a public hearing on April 18, 2023 to review the application for site plan reviews,v 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 Seasonal Investments, LLC and grants approval of the site plan review and conditional use permit for the subject property in accordance with the City's zoning regulations with the following findings and conditions:

1. The proposed Site Plan Review request meets all applicable conditions and restrictions stated in Chapter V, Section 520.25, Site Plan Approval Procedures, in the City of Independence Zoning Ordinance.
2. City Council approval is subject to the applicant completing the following items:
  - a) The applicant shall submit a final landscape plan.
  - b) The applicant shall submit a final lighting and photometric plan and detailed cut sheets for all proposed building and site lighting.
  - c) The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
  - d) The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
3. The applicant shall furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.
4. No outdoor storage is approved as a part of this approval.
5. Any future development or improvements made to this property will need to be in compliance with all applicable standards relating to the Commercial-Light Industrial zoning district.
6. The applicant shall pay for all costs associated with the City's review of the requested site plan review approval.
7. The City Council resolution shall be recorded against the property.

This resolution was adopted by the City Council of the City of Independence on this 2<sup>nd</sup> day of May, 2023, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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Marvin Johnson, Mayor

ATTEST:

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Mark Kaltsas, City Administrator



## 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:** Site plan review of  
two 12,000 sf steel post  
frame buildings to be used as  
boat storage, and associated  
driveway, storm sewer, and  
ponding.

PID: 2311824320011  
**Site Address or Property Identification Number(s):**  
1980 County Road 90  
Independence, MN 55359

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

### Office Use Only

<p>_____</p> <p>Application Amount</p> <p>_____</p> <p>Escrow Paid</p> <p>_____</p> <p>Date Accepted by Planner</p> <p>_____</p> <p>City Planner</p>	<p>_____</p> <p>Date</p> <p>_____</p> <p>Application Check #</p> <p>_____</p> <p>Escrow Check #</p> <p>_____</p> <p>Accepted By</p>
--	---



\*\*\*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: Samsland Investments, LLC

Address: 4068 Sunset Drive

City, State, Zip: Spring Park, MN 55384

Phone: 612 310-7951 / 952-471-9575

Email: JERRY @ RBYE. Com

Signature: [Signature]

**Owner Information (if different than applicant)**

Name: 1980 Cord 90 LLC

Address: PO Box 848

City, State, Zip: Wayzata MN 55391

Phone: 763-478-0200

Email: samslandscape@gmail.com

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.

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***Application for Planning Consideration Fee Statement***

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

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

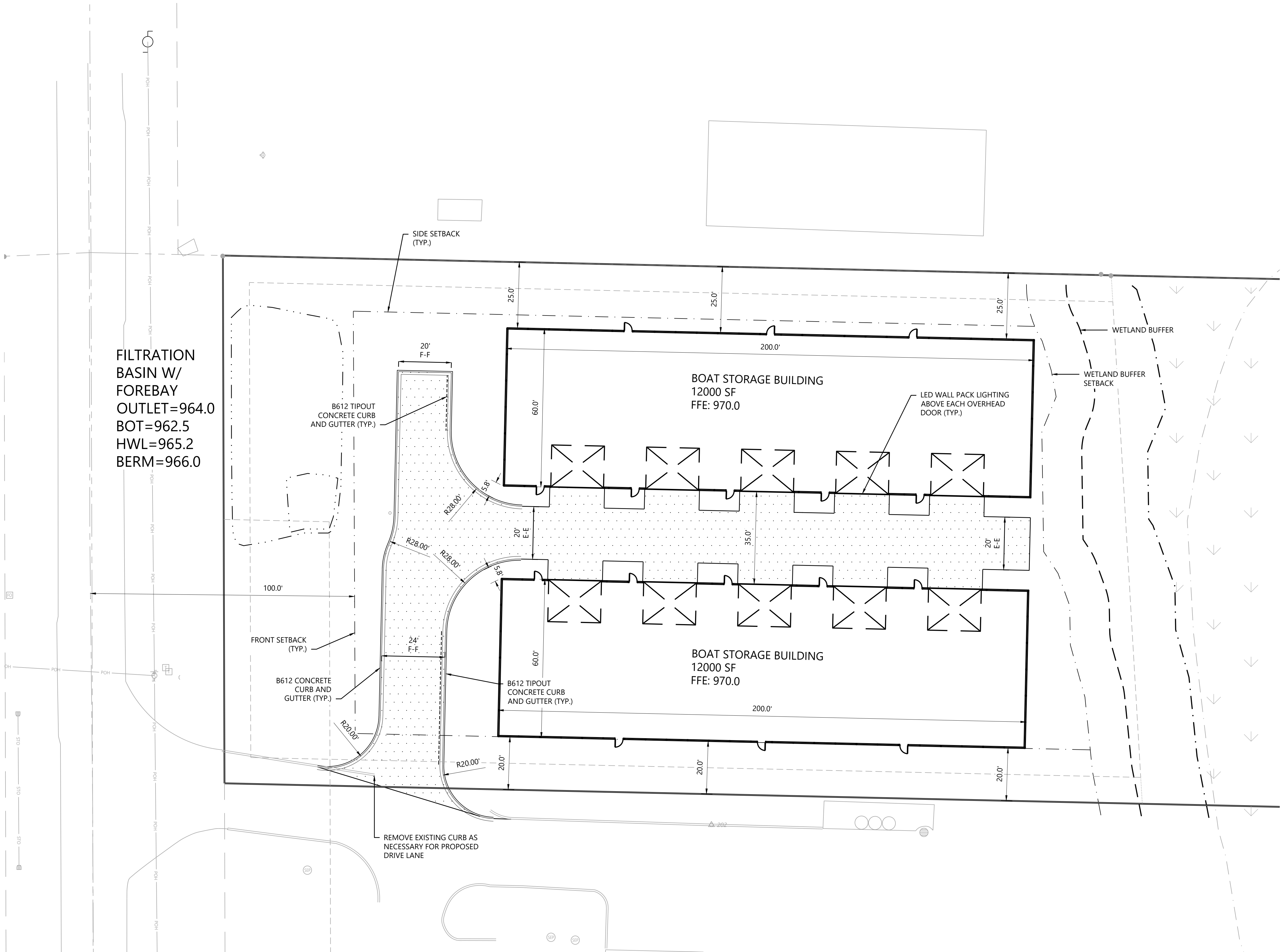
**Applicant Signature:** [Signature]

**Date:** 1/31/23

**Owner Signature (if different):** [Signature]

**Date:** 2-1-23





SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		B612 CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

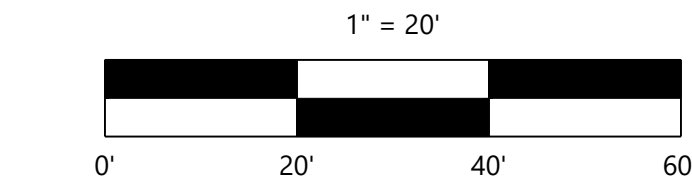
GENERAL SITE NOTES

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

IMPERVIOUS COVERAGE

	SITE AREA (ACRES)	IMPERVIOUS (ACRES)	IMPERVIOUS %
EXISTING CONDITION	5.84	1.17	20.0
PROPOSED CONDITION	5.84	0.90	15.4

- ALLOWABLE IMPERVIOUS COVERAGE IS 30%
- GRAVEL SURFACE IN THE EXISTING CONDITION IS CONSIDERED IMPERVIOUS



NOT FOR CONSTRUCTION

Call 48 Hours before digging:  
811 or call811.com  
Common Ground Alliance

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
03/17/23 CITY COMMENTS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME  
OR UNDER MY DIRECT SUPERVISION AND THAT I AM A  
DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS  
OF THE STATE OF MINNESOTA  
CHRISTIAN H. FROEMKE  
DATE: 03/17/23 LICENSE NO. 56208

**ROCKVAM BOAT YARDS STORAGE  
FACILITY**  
INDEPENDENCE, MN

**Westwood**  
Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com  
Westwood Professional Services, Inc.

SITE PLAN

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

3

OF

7

DATE: 03/17/23



# PRELIMINARY PLANS

## FOR

# SITE, GRADING & LANDSCAPE PLAN

## FOR

# ROCKVAM BOAT YARDS STORAGE FACILITY

INDEPENDENCE, MN

PREPARED FOR:

**SEASONAL INVESTMENTS, LLC**

4068 SUNSET DRIVE

SPRING PARK, MN 55384

CONTACT: JERRY ROCKVAM

PHONE: (612) 310-7095

EMAIL: JERRY@RBYI.COM

PREPARED BY:

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)

Westwood Professional Services, Inc.

PROJECT NUMBER: 0040835.00

CONTACT: CHRISTIAN H. FROEMKE



Vicinity Map  
(NOT TO SCALE)

**SHEET INDEX**

Sheet List Table	
SHEET NUMBER	SHEET TITLE
1	Cover
2	Existing Conditions & Removals Plan
3	Site Plan
4	Grading, Drainage, Erosion Control & Utility Plan
5	Details
6	Landscape Plan
7	Landscape Notes & Details

NO.	DATE	REVISION	SHEETS
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**PRELIMINARY PLANS**

FOR

SITE, GRADING & LANDSCAPE PLAN

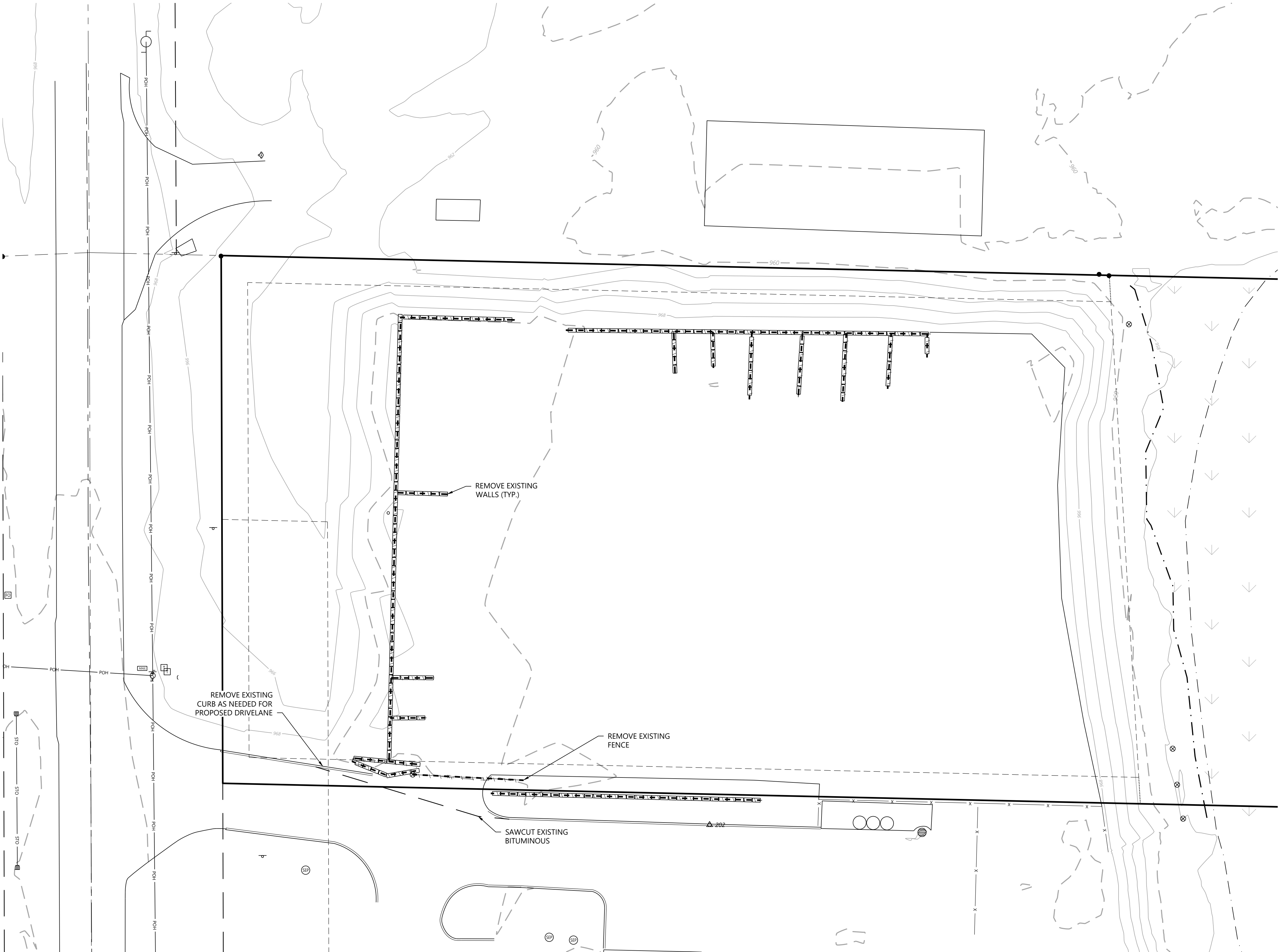
FOR

ROCKVAM BOAT YARDS STORAGE FACILITY

INDEPENDENCE, MN

INITIAL SUBMITTAL DATE: 02/09/23 SHEET: 1 OF 7





Call 48 Hours before digging:  
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Common Ground Alliance

REMOVAL LEGEND

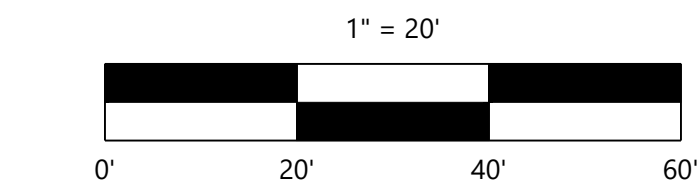
EXISTING	PROPOSED	
		PROPERTY LINE
		SAW CUT PAVEMENT
		RETAINING WALL
		FENCE

REMOVAL NOTES

- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES ARE FOUND.
- CONTRACTOR SHALL COORDINATE LIMITS OF REMOVALS WITH PROPOSED IMPROVEMENTS AND FIELD VERIFY CONDITION OF EXISTING APPURTENANCES TO REMAIN. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING OR REPLACING MISCELLANEOUS ITEMS (SUCH AS FENCES, SIGNS, IRRIGATION HEADS, ETC.) THAT MAY BE DAMAGED BY CONSTRUCTION.
- CONTRACTOR SHALL PLACE ALL NECESSARY EROSION CONTROL MEASURES REQUIRED TO MAINTAIN SITE STABILITY PRIOR TO EXECUTING ANY SITE REMOVALS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION WITH UTILITY PROVIDERS FOR REMOVAL AND/OR RELOCATION OF EXISTING UTILITIES AFFECTED BY SITE DEVELOPMENT. ALL PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.

LEGEND

	CATCH BASIN MANHOLE		POWER OVERHEAD
	SEPTIC COVER		BOUNDARY LINE
	POWER POLE		RIGHT-OF-WAY LINE
	TELEPHONE BOX		
	SIGN		
	MAIL BOX		



NOT FOR CONSTRUCTION



DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
△ \_\_\_\_\_  
△ \_\_\_\_\_  
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△ \_\_\_\_\_

PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME  
OR UNDER MY DIRECT SUPERVISION AND THAT I AM A  
DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS  
OF THE STATE OF MINNESOTA  
CHRISTIAN H. FROEMKE  
DATE: 02/09/23 LICENSE NO. 56208

**ROCKVAM BOAT YARDS STORAGE  
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EXISTING CONDITIONS &  
REMOVALS PLAN

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

2

OF

7

DATE: 02/09/23



GRADING LEGEND

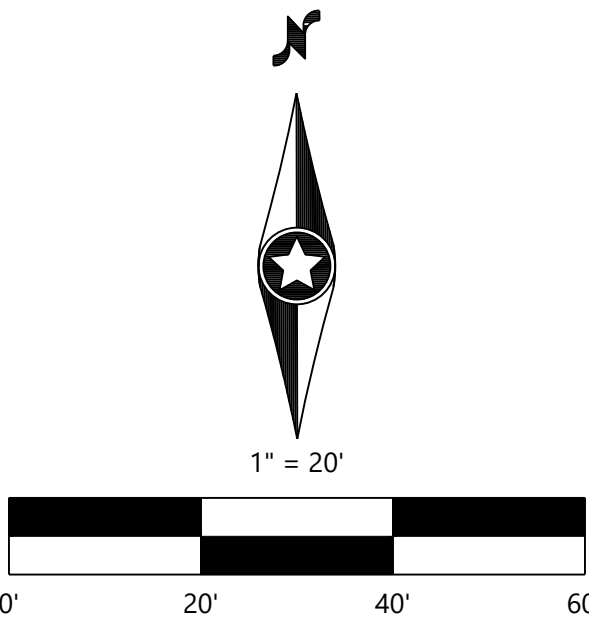
EXISTING	PROPOSED	
		PROPERTY LINE
		SOIL BORING LOCATION
		INDEX CONTOUR
		INTERVAL CONTOUR
		SPOT ELEVATION
		HIGH/LOW POINT
		CL-CL ELEVATION
		FLOW DIRECTION
		TOP AND BOTTOM OF RETAINING WALL
		EMERGENCY OVERFLOW
		PROPOSED STREET PROFILE GRADE
		STORM SEWER
		TREE LINE
		RETAINING WALL (MODULAR BLOCK)
		GRADING LIMITS
		POND NORMAL WATER LEVEL
		WETLAND LINE
		WETLAND FILL
		WETLAND BUFFER
		POND ACCESS MAINTENANCE BENCH
		ROCK CONSTRUCTION ENTRANCE
		EROSION CONTROL BLANKET
		WETLAND BUFFER LIMITS
		WETLAND BUFFER MONUMENT
		DO NOT DISTURB
		INLET PROTECTION

GRADING & DRAINAGE NOTES

- ALL CONTOURS AND SPOT ELEVATIONS ARE SHOWN TO FINISHED SURFACE/GUTTER GRADES UNLESS OTHERWISE NOTED.
- REFER TO THE SITE PLAN/RECORD PLAT FOR MOST CURRENT HORIZONTAL SITE DIMENSIONS AND LAYOUT.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHICAL FEATURES WITH THE OWNERS AND FIELD-VERIFY PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM PLAN.
- ALL CONSTRUCTION SHALL CONFORM TO LOCAL RULES.
- POSITIVE DRAINAGE FROM THE SITE MUST BE PROVIDED AT ALL TIMES.

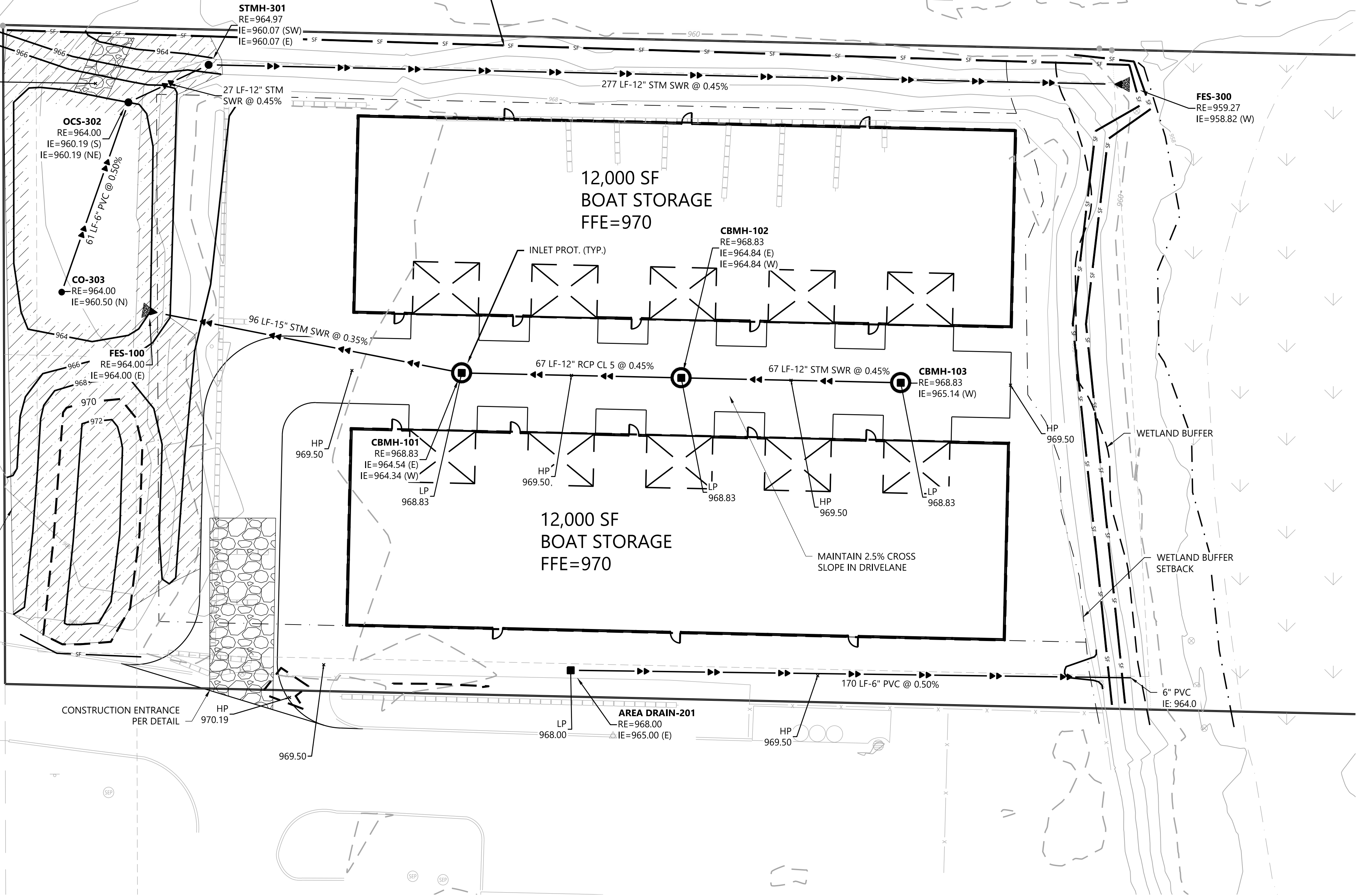
GENERAL UTILITY NOTES

- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY THE OWNER OF ANY DIFFERENCES.
- THE CONTRACTOR SHALL RECEIVE THE NECESSARY PERMITS FOR ALL WORK OUTSIDE OF THE PROPERTY LIMITS.
- VERIFY EXISTING INVERT LOCATION & ELEVATION PRIOR TO BEGINNING CONSTRUCTION.
- THE CONTRACTOR SHALL CONTACT "GOPHER STATE ONE CALL" FOR FOR UTILITY LOCATIONS PRIOR TO UTILITY INSTALLATION.



NOT FOR CONSTRUCTION

FILTRATION  
BASIN  
OUTLET=964.0  
BOT=962.5  
HWL=965.2  
BERM=966.0



PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

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OR UNDER MY DIRECT SUPERVISION AND THAT I AM A  
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**ROCKVAM BOAT YARDS STORAGE  
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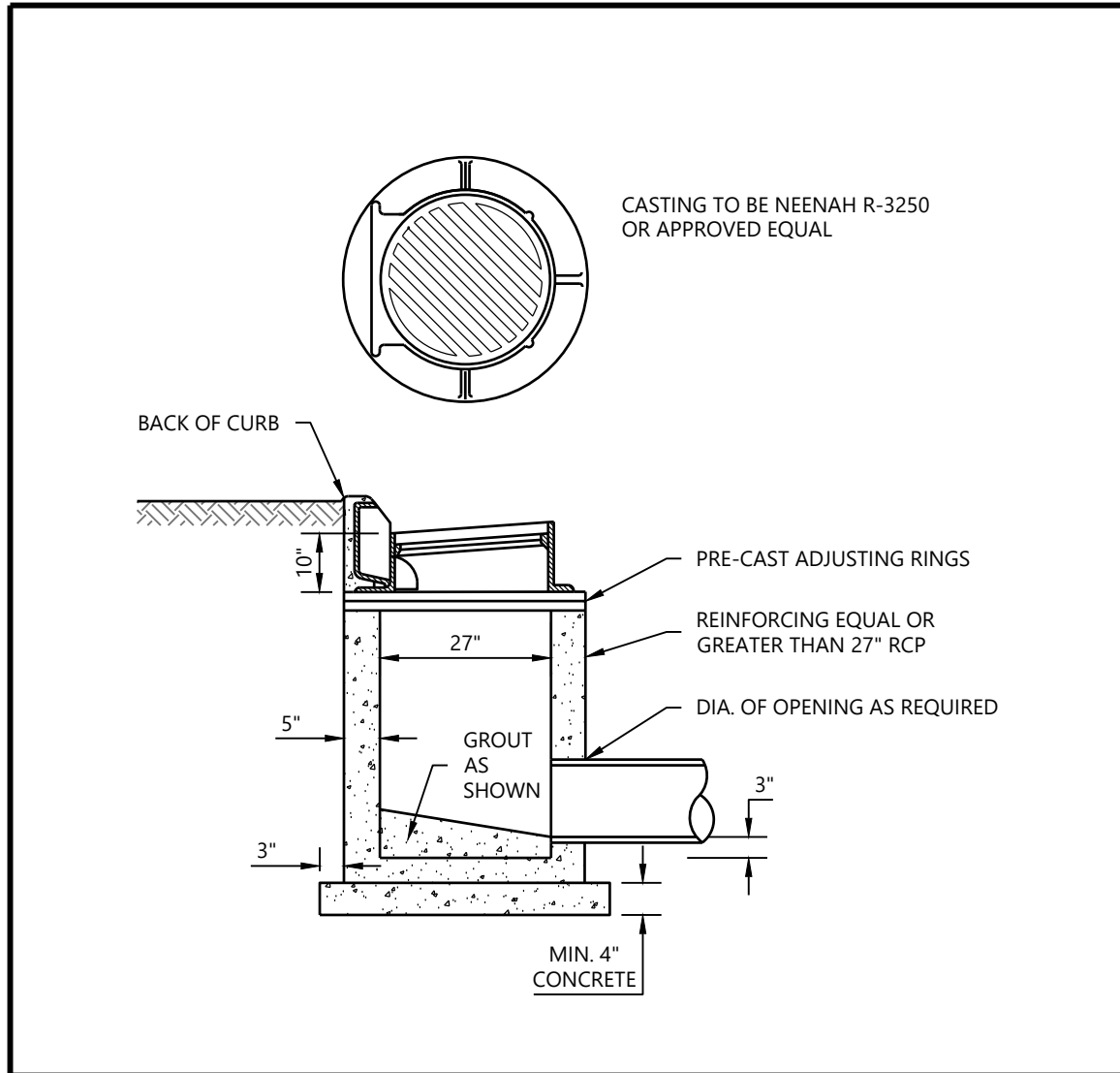
**GRADING, DRAINAGE,  
EROSION CONTROL &  
UTILITY PLAN**  
PROJECT NUMBER: 0040835.00

SHEET NUMBER:  
**4** OF **7**  
DATE: 02/09/23

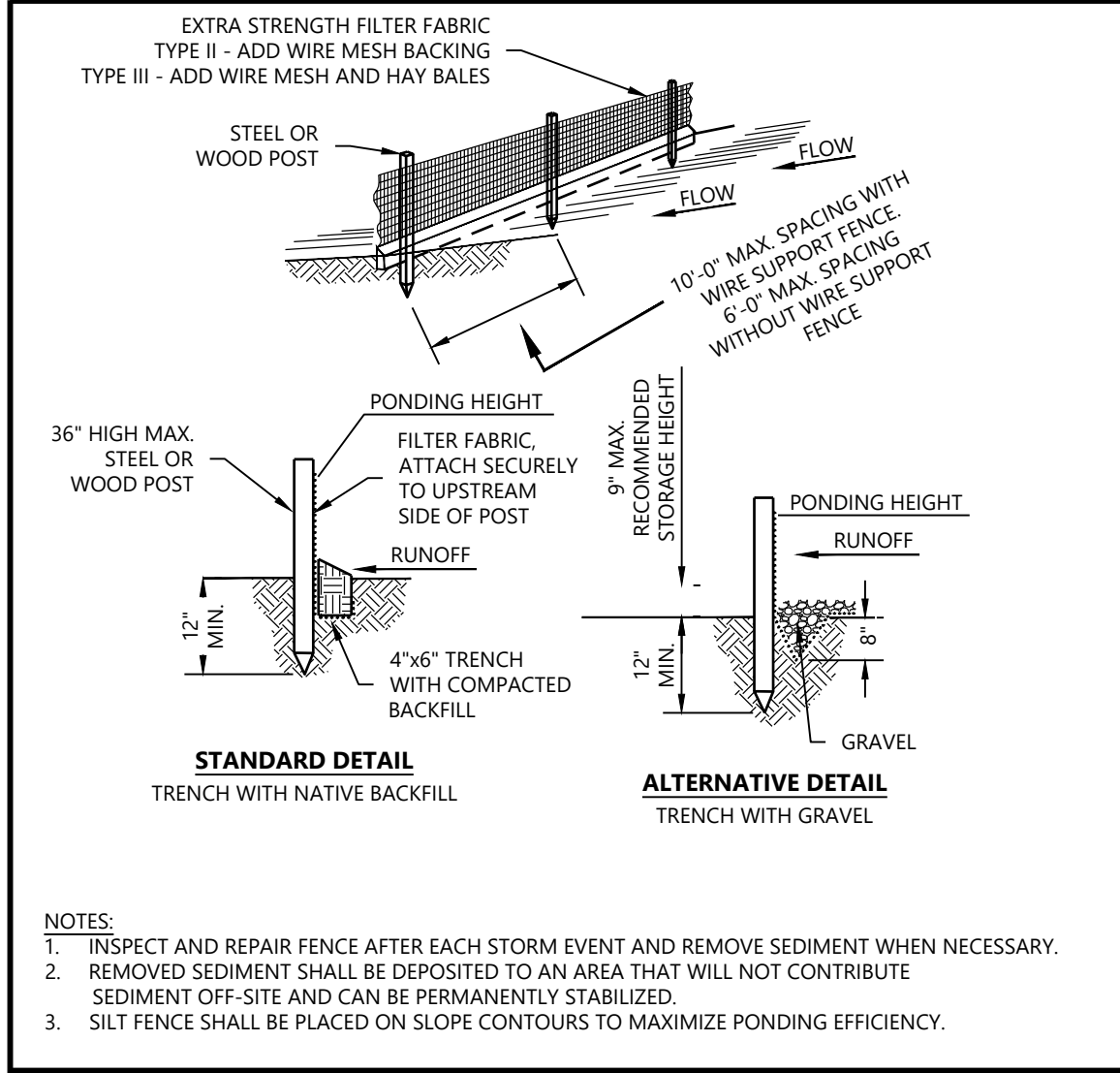
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HORIZONTAL SCALE: 20'  
VERTICAL SCALE: 4' OR 2'

INITIAL ISSUE: 02/09/23  
REVISIONS:  
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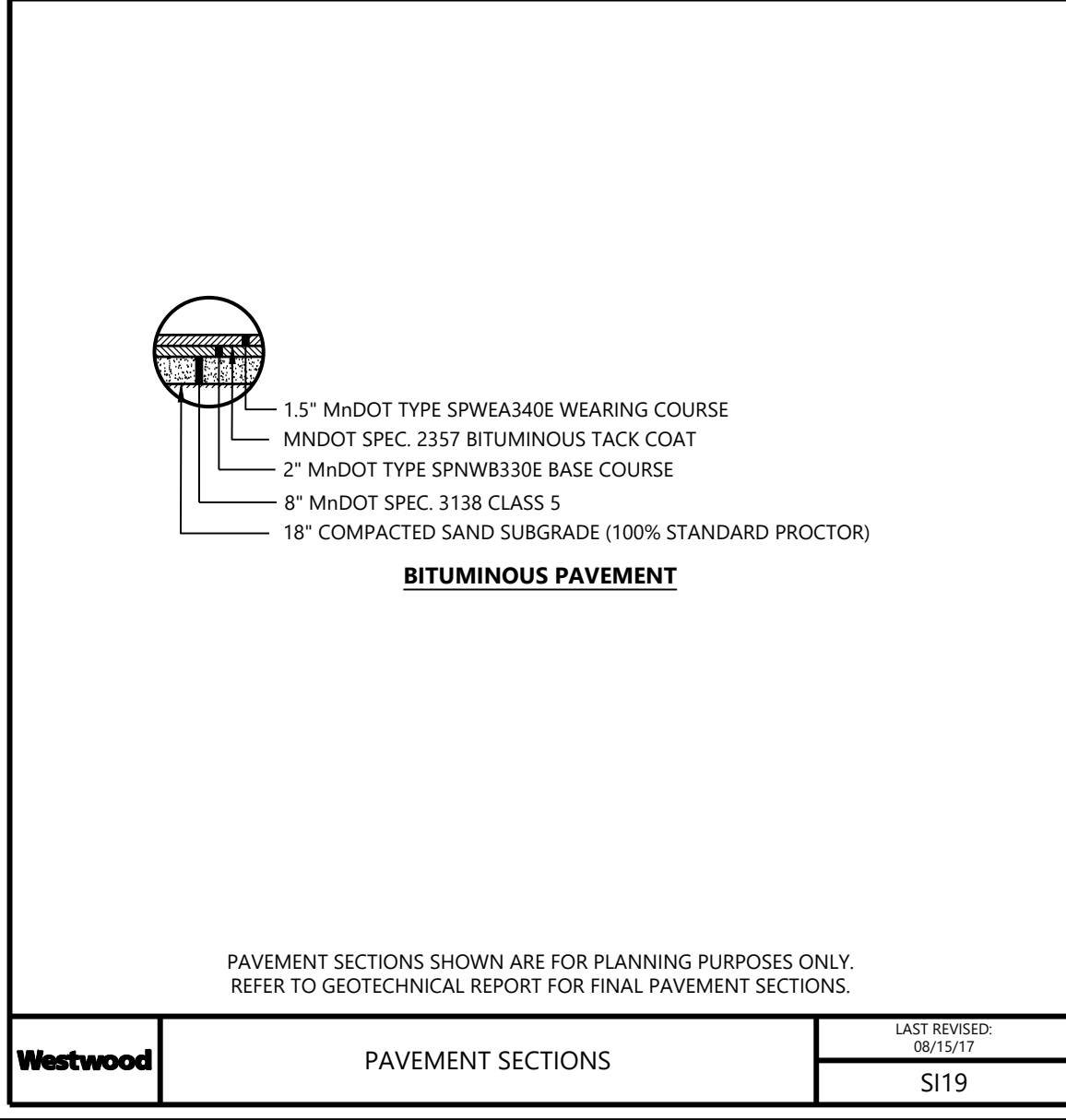




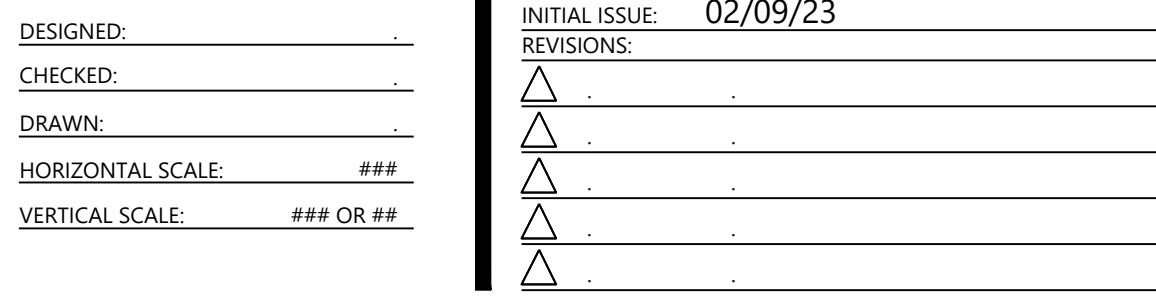
Westwood	ROUND CATCH BASIN	LAST REVISED: 08/10/17
	ST02	



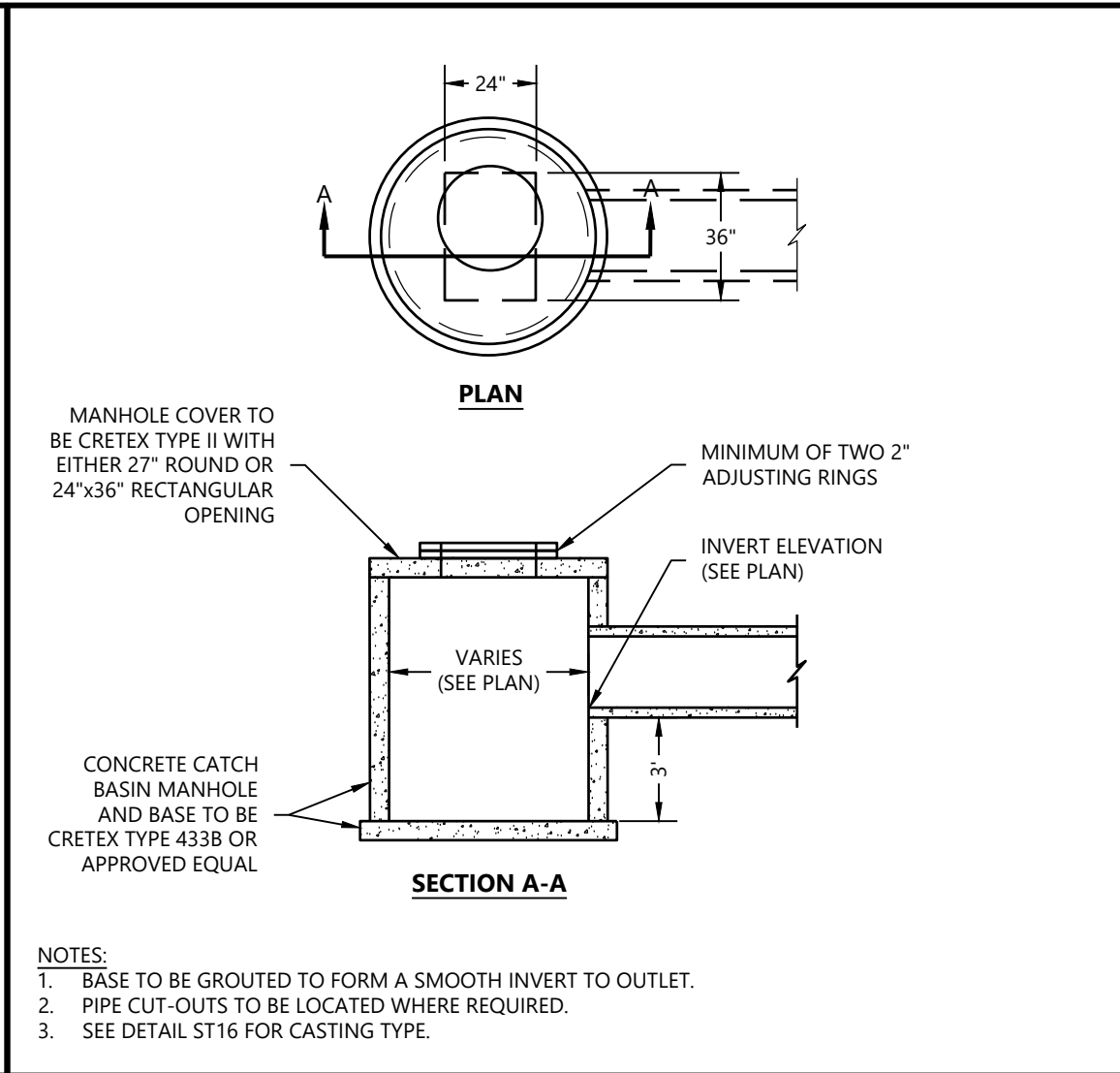
Westwood	CATCH BASIN (SUMP)	LAST REVISED: 08/10/17
	ST04	



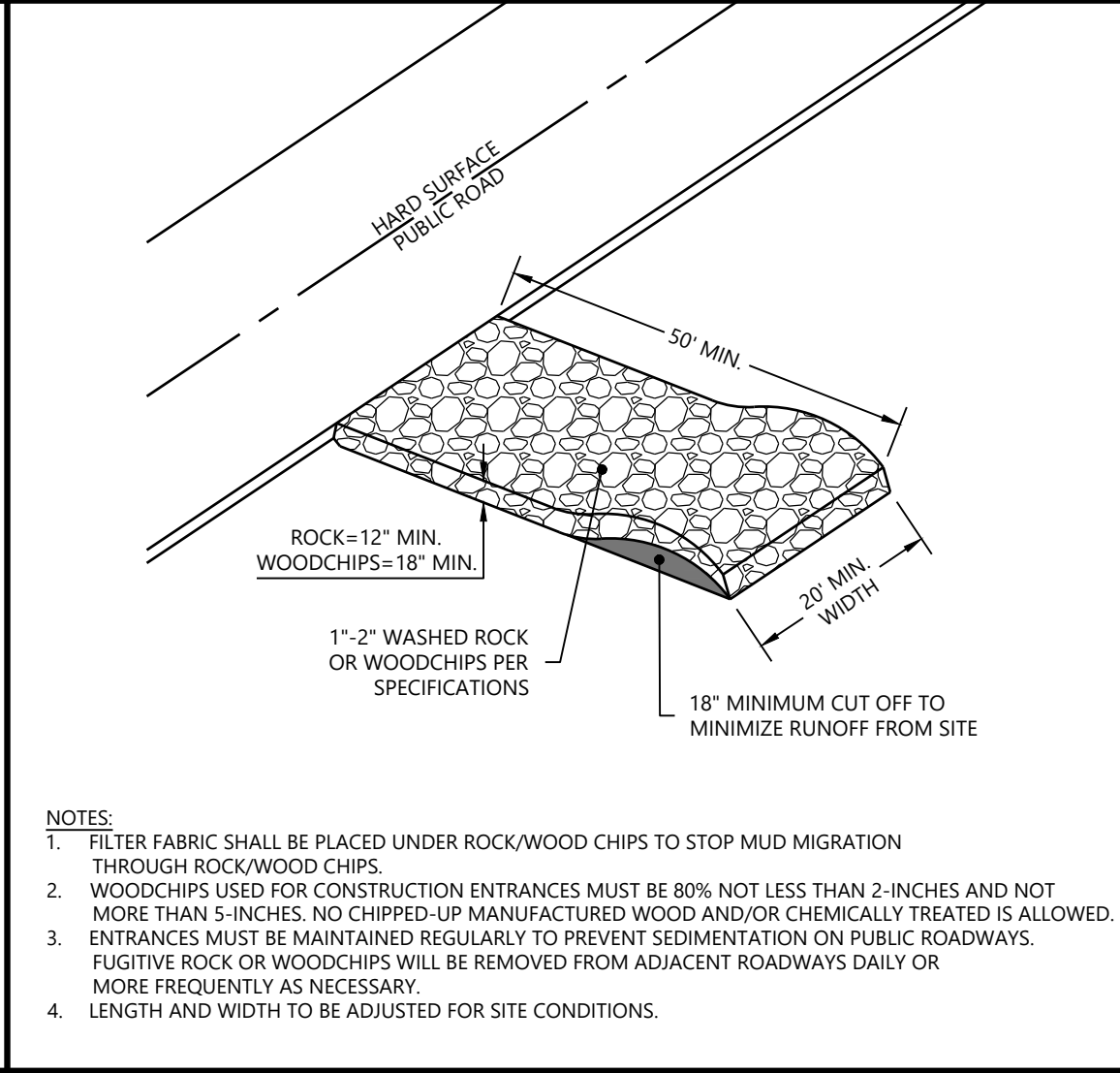
Westwood	RIPRAP AT OUTLETS	LAST REVISED: 08/10/17
	ST05	



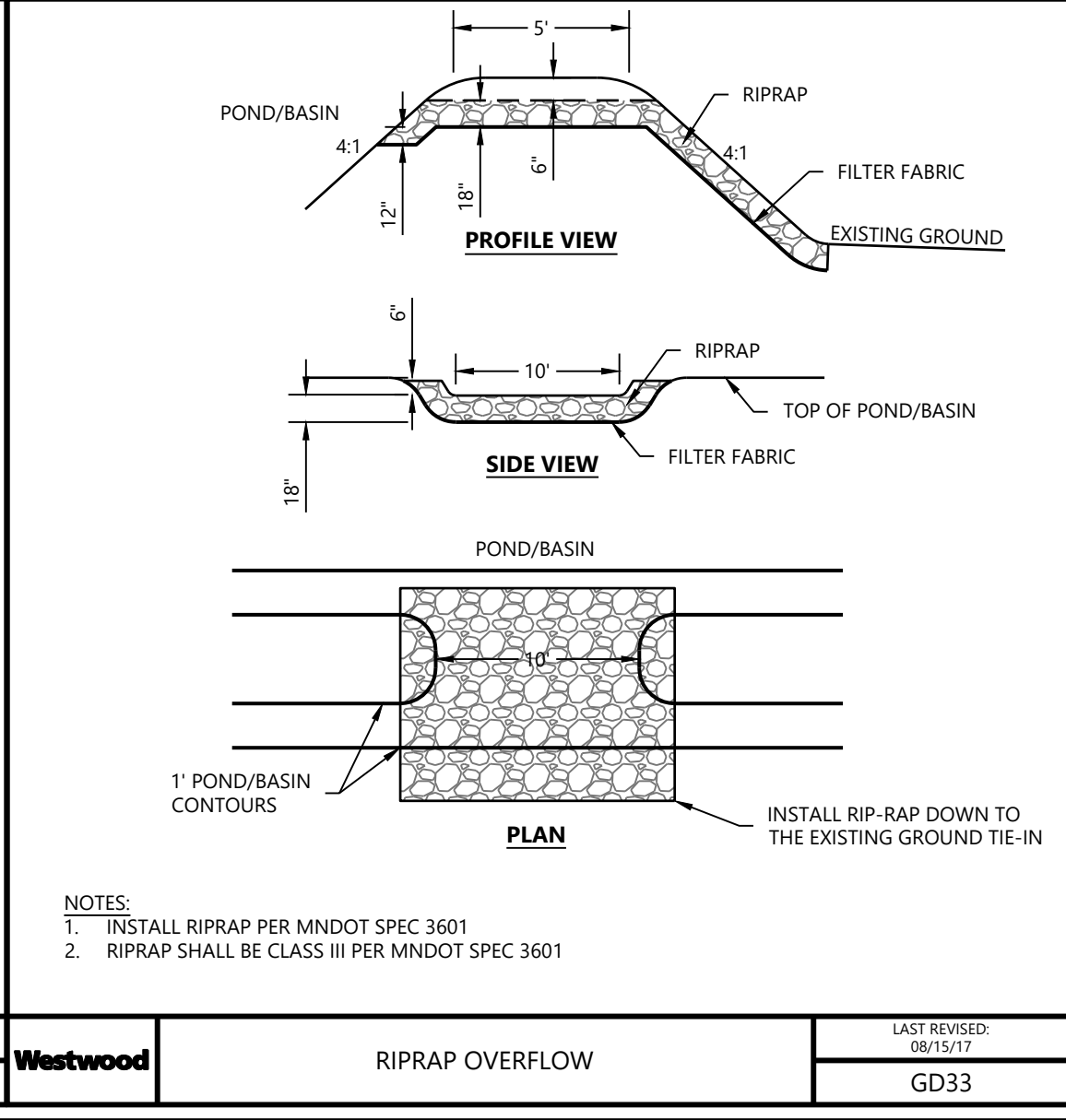
Westwood	STORM SEWER CASTING SCHEDULE	LAST REVISED: 08/11/17
	ST16	



Westwood	STORM DRAIN FILTER BAG INSERT	LAST REVISED: 08/15/17
	GD10	



Westwood	FILTRATION BASIN	LAST REVISED: 08/10/17
	ST06a	



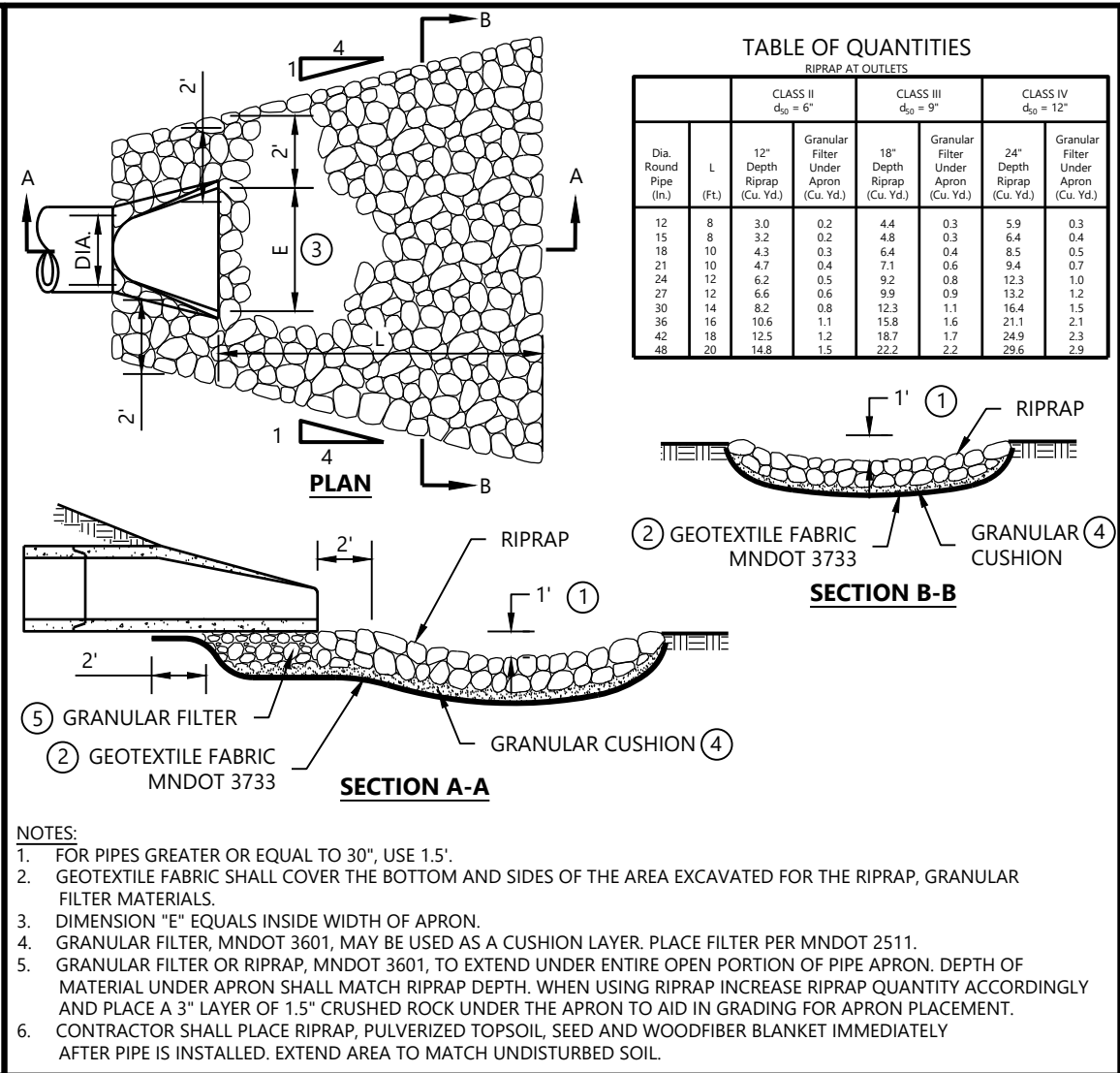
Westwood	CONSTRUCTION ENTRANCE	LAST REVISED: 08/15/17
	GD05	



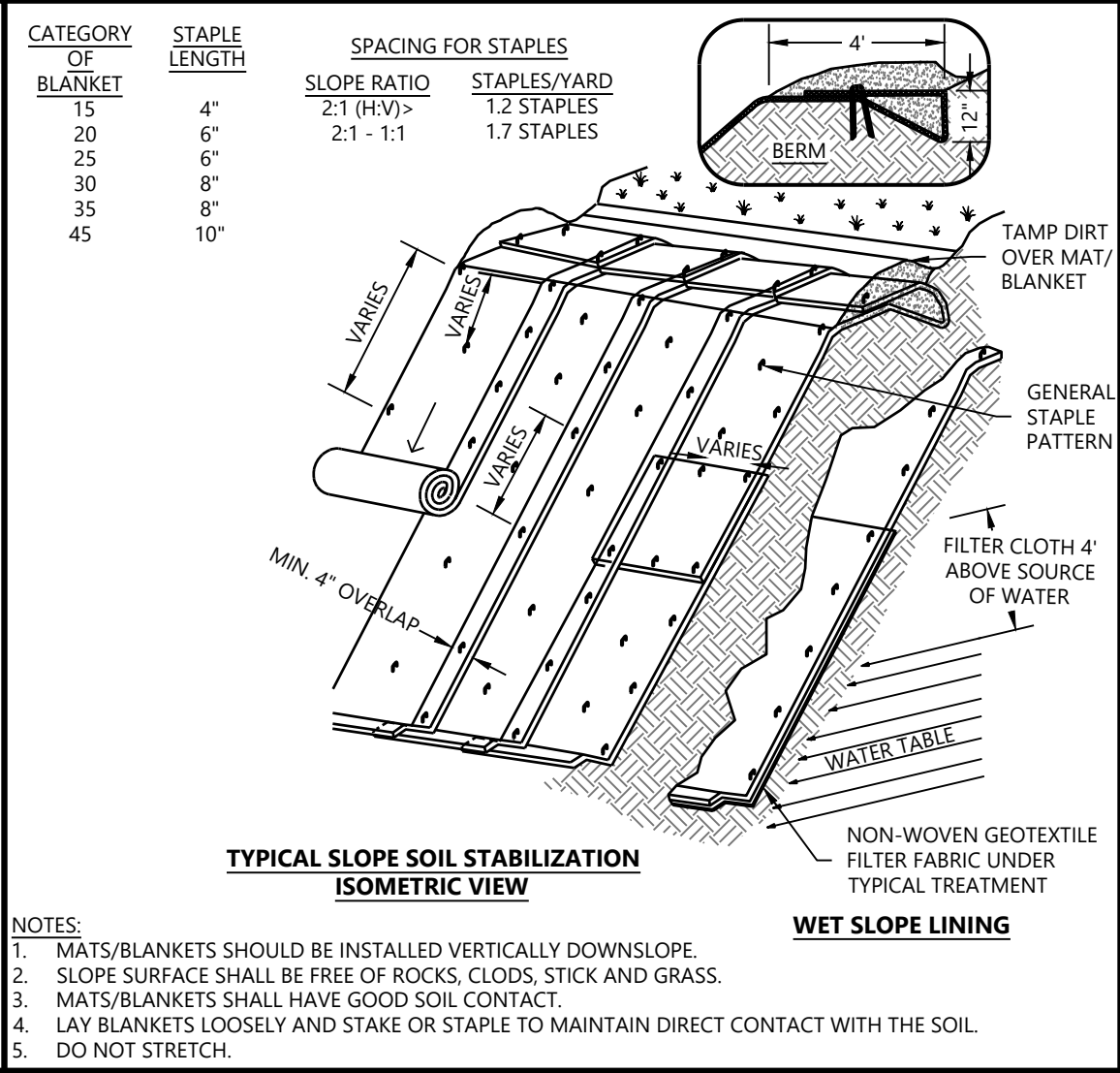
Westwood	TEMPORARY EROSION BLANKETS	LAST REVISED: 04/20/21
	GD21	



Westwood	TEMPORARY BIOROLL BLANKET SYSTEM	LAST REVISED: 04/20/21
	GD23	



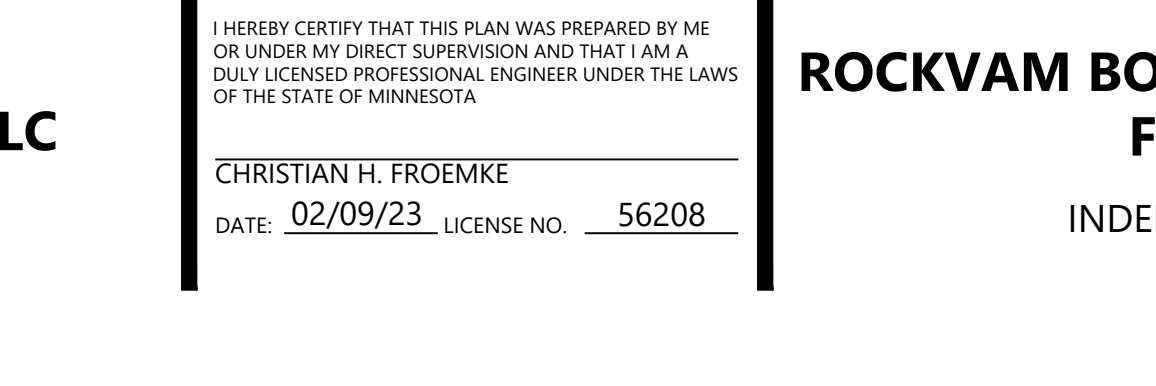
Westwood	PAVEMENT SECTIONS	LAST REVISED: 08/15/17
	SI19	



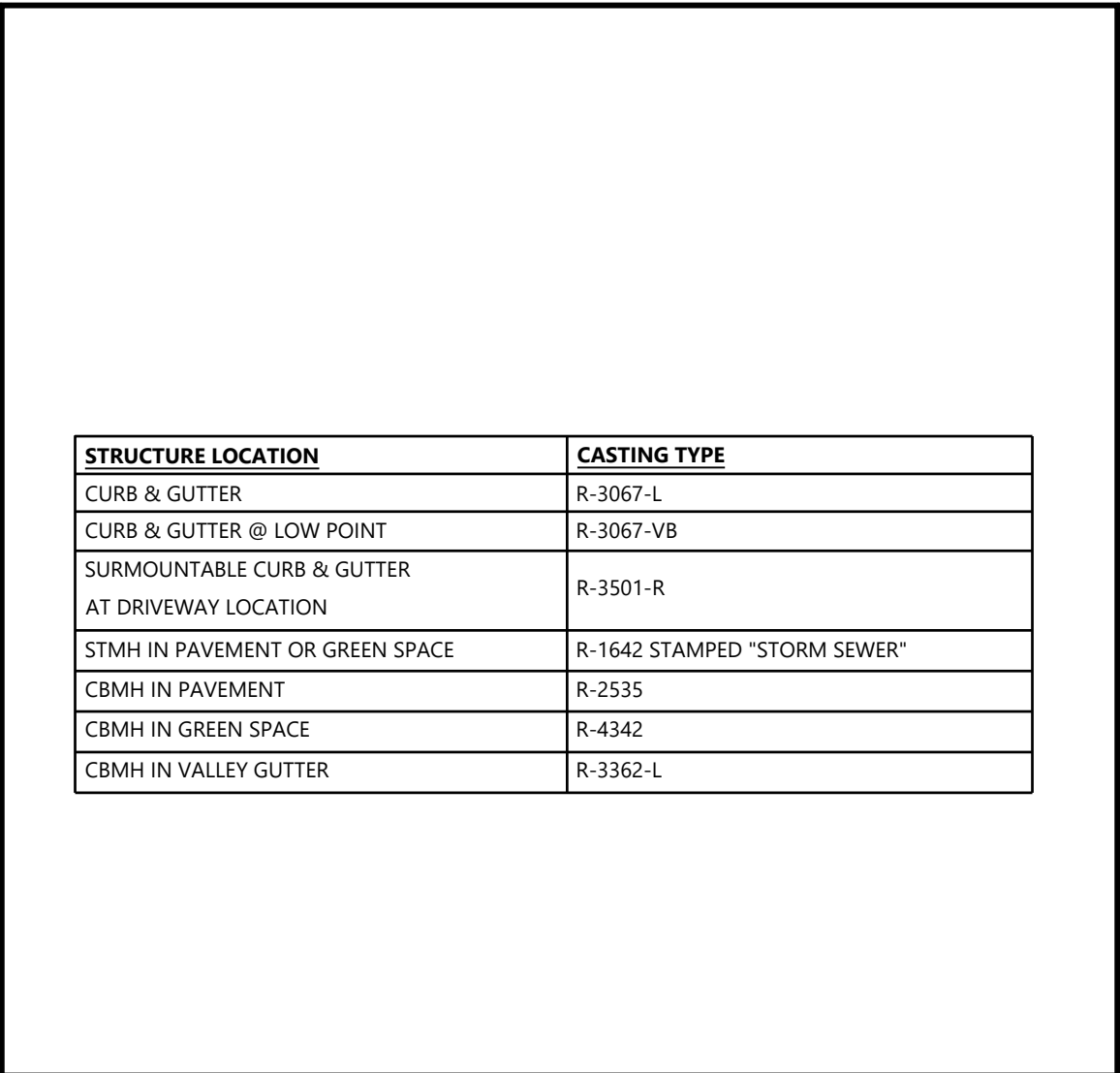
Westwood	RIPRAP OVERFLOW	LAST REVISED: 08/15/17
	GD33	



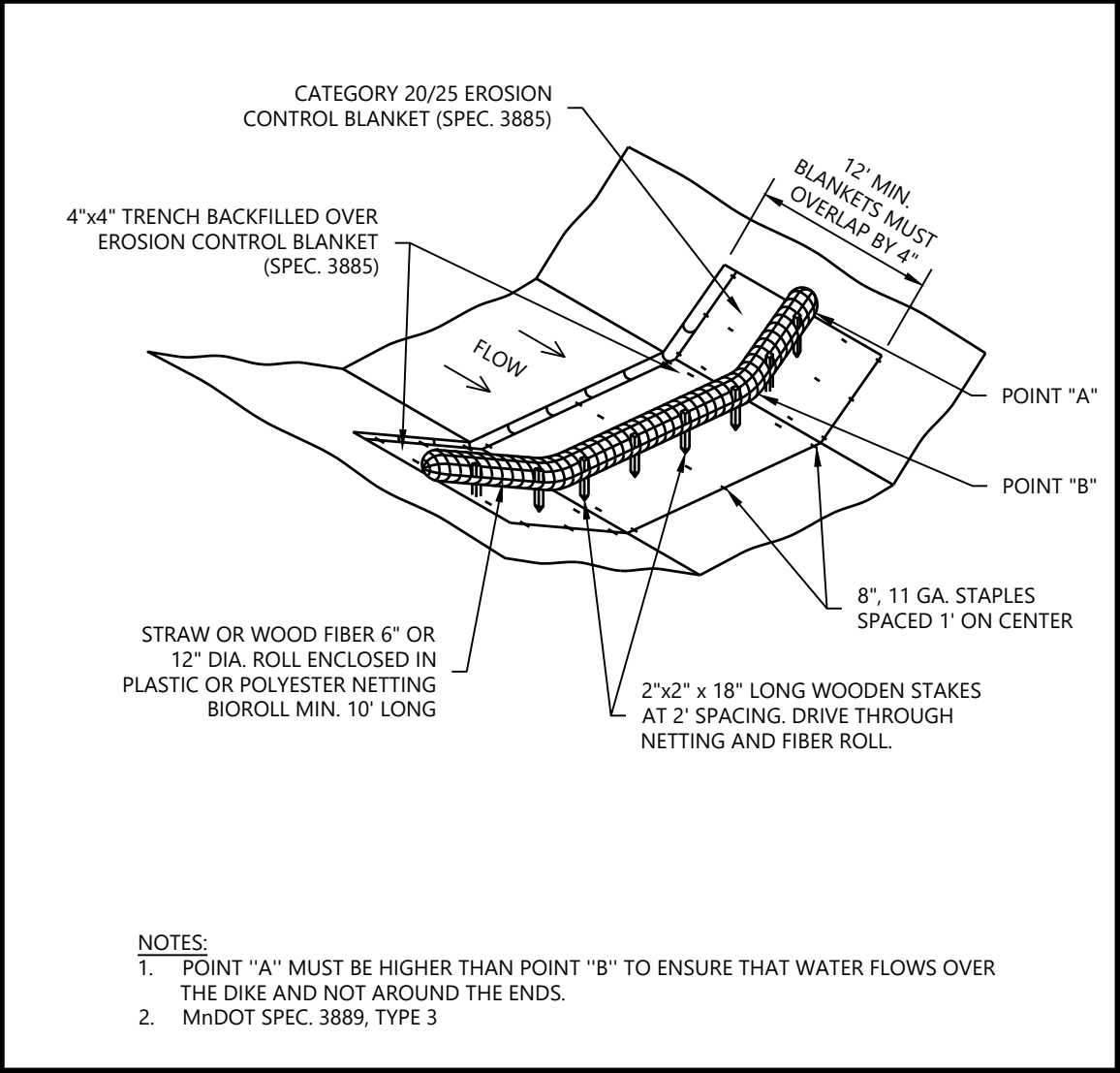
Westwood	ROCKVAM BOAT YARDS STORAGE FACILITY	LAST REVISED: 12/04/2020
	ST06a	



Westwood	NOT FOR CONSTRUCTION	LAST REVISED: 12/04/2020
	ST06a	



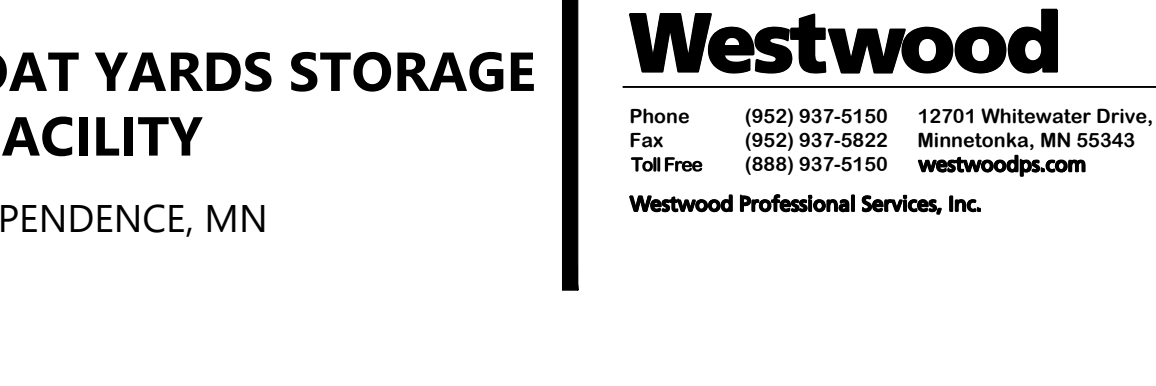
Westwood	STRUCTURE LOCATION	LAST REVISED: 08/11/17
	ST16	



Westwood	STORM DRAIN FILTER BAG INSERT	LAST REVISED: 08/15/17
	GD10	



Westwood	FILTRATION BASIN	LAST REVISED: 08/10/17
	ST06a	



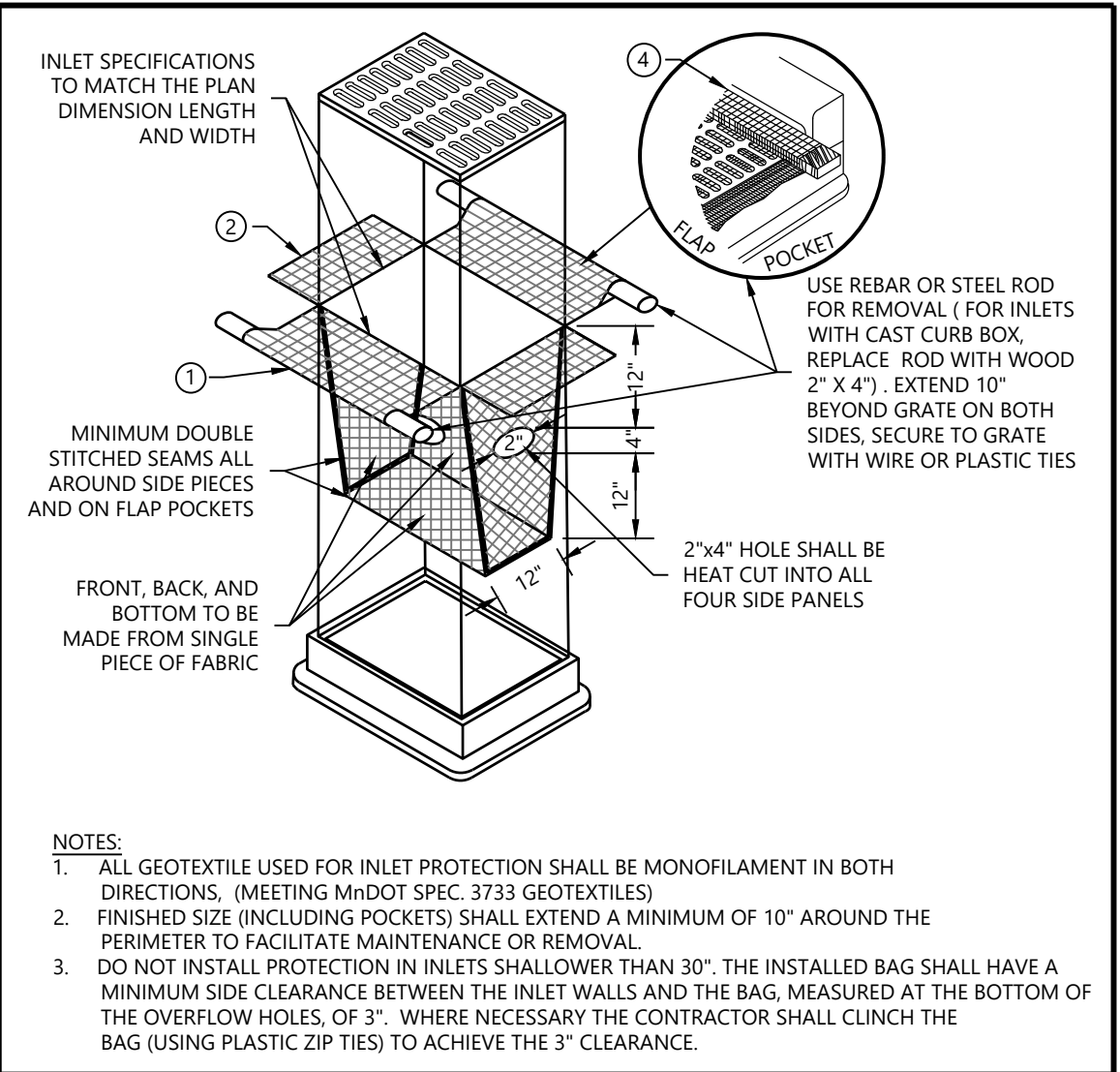
Westwood	CONSTRUCTION ENTRANCE	LAST REVISED: 08/15/17
	GD05	



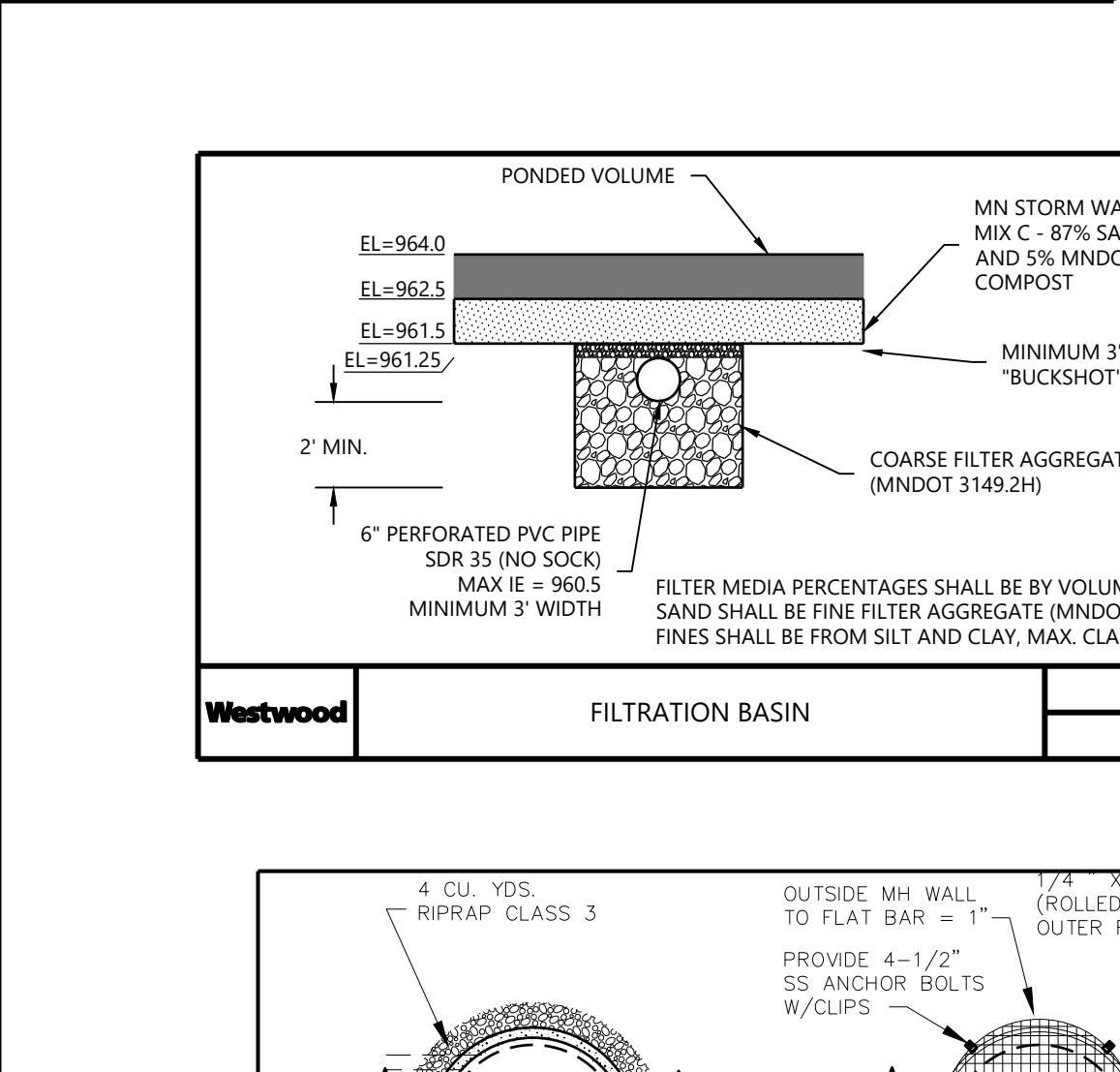
Westwood	TEMPORARY EROSION BLANKETS	LAST REVISED: 04/20/21
	GD21	



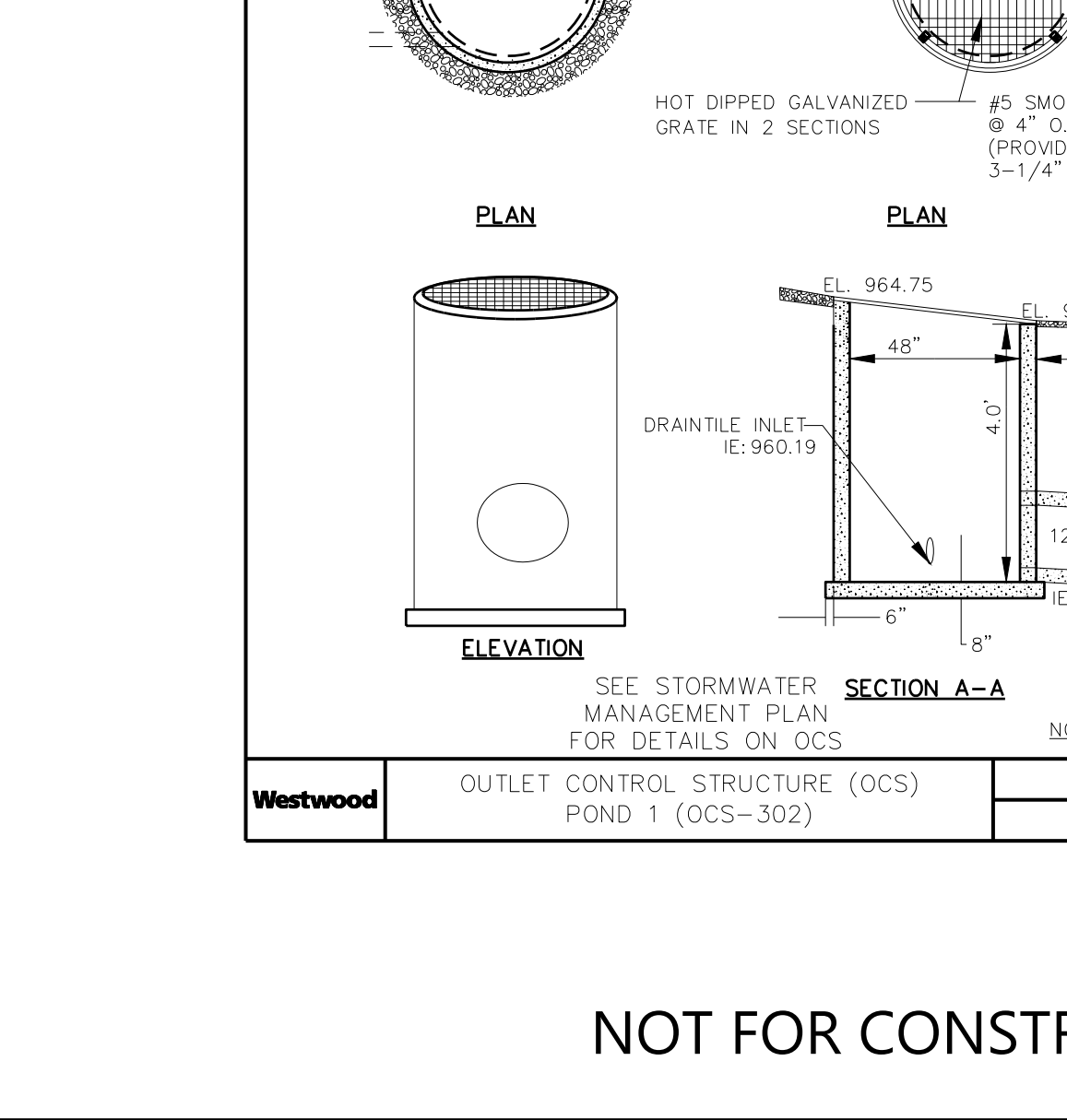
Westwood	TEMPORARY BIOROLL BLANKET SYSTEM	LAST REVISED: 04/20/21
	GD23	



Westwood	STORM DRAIN FILTER BAG INSERT	LAST REVISED: 08/15/17
	GD10	



Westwood	FILTRATION BASIN	LAST REVISED: 08/10/17
	ST06a	



Westwood	CONSTRUCTION ENTRANCE	LAST REVISED: 08/15/17
	GD05	



Westwood	TEMPORARY EROSION BLANKETS	LAST REVISED: 04/20/21
	GD21	



Westwood	TEMPORARY BIOROLL BLANKET SYSTEM	LAST REVISED: 04/20/21
	GD23	

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811 or call811.com  
Common Ground Alliance

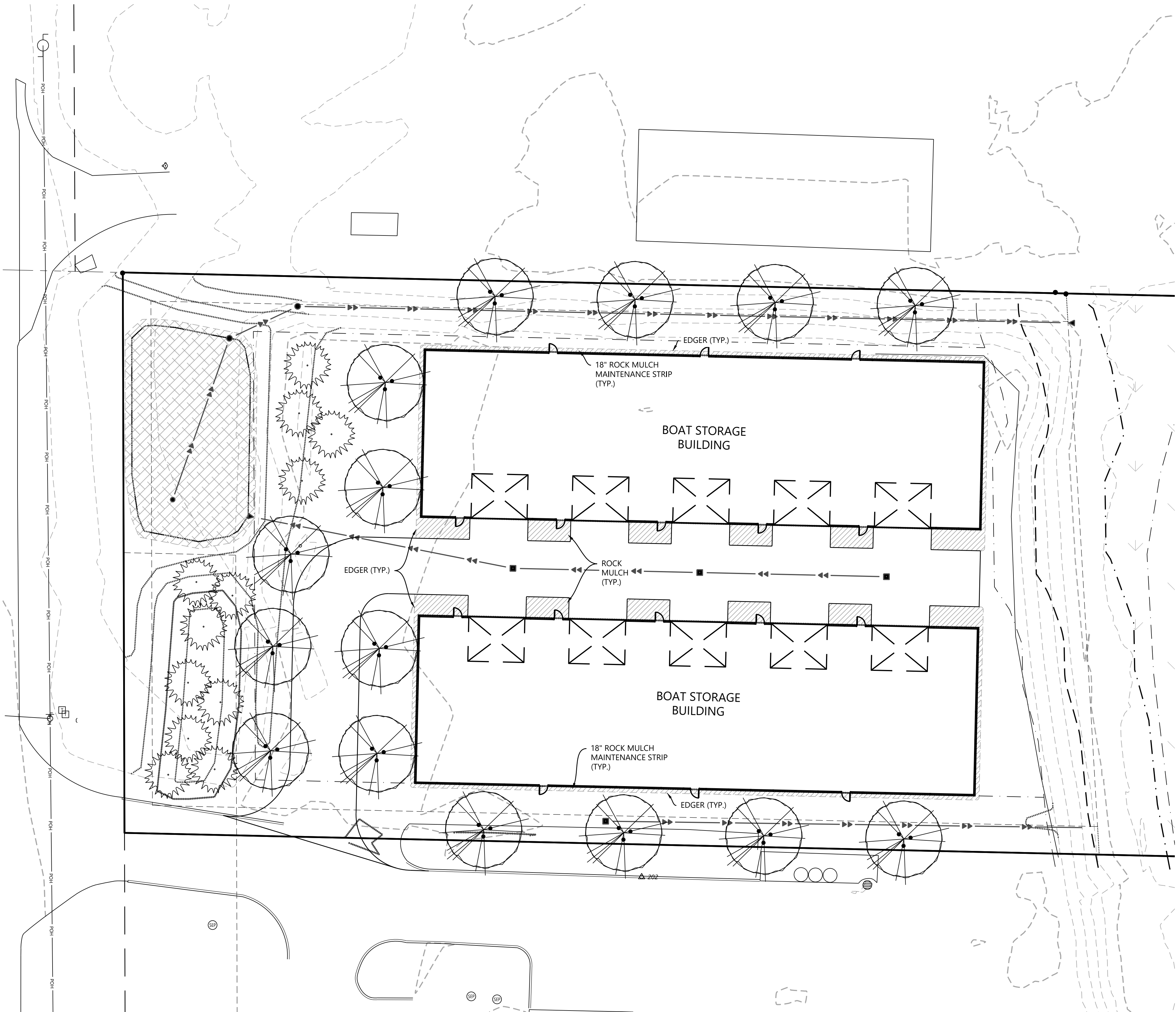
DESIGNED:	02/09/23
CHECKED:	
DRAWN:	
HORIZONTAL SCALE:	###
VERTICAL SCALE:	## OR ##

PREPARED FOR:	SEASONAL INVESTMENTS, LLC
4068 SUNSET DRIVE	SPRING PARK, MN 55384
CHRISTIAN H. FROEMKE	DATE: 02/09/23 LICENSE NO. 56208

ROCKVAM BOAT YARDS STORAGE FACILITY	INDEPENDENCE, MN
Westwood	Phone (952) 937-5150 12701 Whitewater Drive, Suite #300 Fax (952) 937-5822 Minneapolis, MN 55343 Toll Free (888) 937-5150 westwoodps.com Westwood Professional Services, Inc.

SHEET NUMBER:	5 OF 7
DETAILS	PROJECT NUMBER: 0040835.00
DATE: 02/09/23	





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Common Ground Alliance

PRELIMINARY PLANT SCHEDULE

COMMON / BOTANICAL		SIZE	SPACING O.C.	MATURE SIZE
OVERSTORY DECIDUOUS TREES	15 ACCOLADE™ ELM / ULMUS X'MORTON'	2.5" CAL, B&B	AS SHOWN	H 70' W 40'-50'
	HACKBERRY / CELTIS OCCIDENTALIS	2.5" CAL, B&B	AS SHOWN	H 50'-75' W 50'
	RED OAK / QUERCUS RUBRA	2.5" CAL, B&B	AS SHOWN	H 50'-70' W 40'-50'
EVERGREEN TREES	12 BLACK HILLS SPRUCE / PICEA GLAUCA DENSATA	6' HT B&B	AS SHOWN	H 35'-45' W 20'-25'
	CONCOLOR FIR / ABIES CONCOLOR	6' HT B&B	AS SHOWN	H 40'-50' W 15'-30'
	WHITE PINE / PINUS STROBUS	6' HT B&B	AS SHOWN	H 50'-80' W 25'-40'
ABBREVIATIONS: B.B. = BALLED AND BURLAPPED CAL = CALIPER HT. = HEIGHT MIN. = MINIMUM O.C. = ON CENTER SP. = SPREAD QTY. = QUANTITY CONT. = CONTAINER NOTES: QUANTITIES ON PLAN SUPERSEDE LIST QUANTITIES IN THE EVENT OF A DISCREPANCY.				

OVERALL LANDSCAPE REQUIREMENTS

TOTAL TREES REQUIRED	27 TREES
* MINIMUM LANDSCAPE REQUIREMENTS IN THE PROTECTIVE BUFFER MUST INCLUDE ONE TREE (AT LEAST 2.5-INCH CALIPER DECIDUOUS TREE OR SIX-FOOT-HIGH CONIFER TREE) FOR EACH 40 FEET OF PROPERTY LINE. - PROPERTY LINE LENGTH (UP TO AND INCLUDING WETLAND SETBACK LINE): 1,073 LF - 1,073 LF / 40 LF = 27 TREES	

OVERALL LANDSCAPE PROVISIONS

TOTAL LANDSCAPE PROVIDED:	27 TREES
* OVERSTORY DECIDUOUS TREES:	15 TREES
* EVERGREEN TREES:	12 TREES

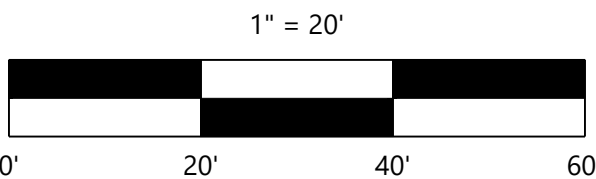
GROUNDCOVER LEGEND

	DENOTES STORMWATER NATIVE SEED MIX (33-261) TOTAL AREA (0.08 AC)
	LANDSCAPE ROCK MULCH TOTAL AREA (2,456 SF)

\* ALL DISTURBED AREAS TO BE SODDED  
UNLESS NOTED OTHERWISE  
\* TURF WITHIN R/W TO BE HYDROSEEDED.

NOTES:

- TREE LOCATIONS AND SPACING ARE SUBJECT TO CHANGE BASED ON CONSTRUCTED DRIVEWAY AND UTILITY LOCATIONS.
- TREES SHALL BE PLANTED MIN. 5' FROM BACK OF CURB IN A LOCATION THAT DOES NOT INTERFERE WITH CURBSTOPS OR INDIVIDUAL SEWER & WATER CONNECTIONS.
- NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- DECIDUOUS TREES SHOULD BE LOCATED A MINIMUM OF 5' OFF ANY UTILITY PIPE AND CONIFEROUS TREES SHOULD BE LOCATED A MINIMUM OF 15' OFF ANY UTILITY PIPE.
- NO TREE SHOULD BE LOCATED WITHIN 10' OF A HYDRANT OR 15' FROM A STREETLIGHT.
- NO TREES SHOULD BE LOCATED WITHIN A STORM POND HWL.
- NO TREES SHOULD BE LOCATED WITHIN STORM POND ACCESS ROUTE.
- NO DECIDUOUS TREE WITH 5' OF A SIDEWALK OR TRAIL AND NO CONIFEROUS TREES WITHIN 20' OF A PROPOSED SIDEWALK OR TRAIL.



NOT FOR CONSTRUCTION

DESIGNED:	CHF
CHECKED:	CHF
DRAWN:	TAS
HORIZONTAL SCALE:	20'
VERTICAL SCALE:	4' OR 2'

INITIAL ISSUE:	02/09/23
REVISIONS:	
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PREPARED FOR:  
**SEASONAL INVESTMENTS, LLC**  
4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA  
NICHOLAS T. MEYER  
DATE: 02/09/23 LICENSE NO. 53774

**ROCKVAM BOAT YARDS STORAGE FACILITY**  
INDEPENDENCE, MN

**Westwood**  
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Toll Free (888) 937-5150 westwoodps.com  
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LANDSCAPE PLAN

PROJECT NUMBER: 0040835.00

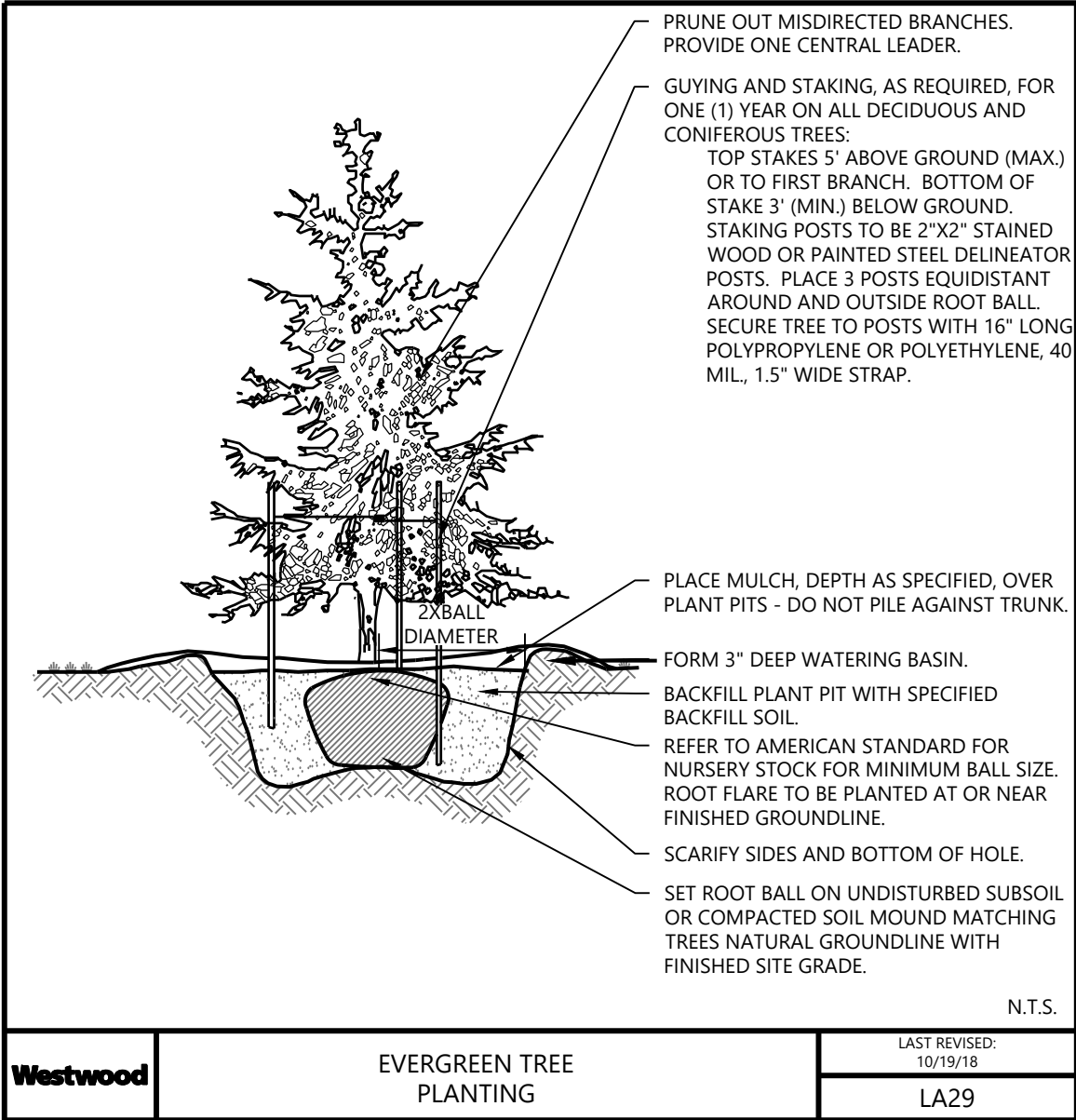
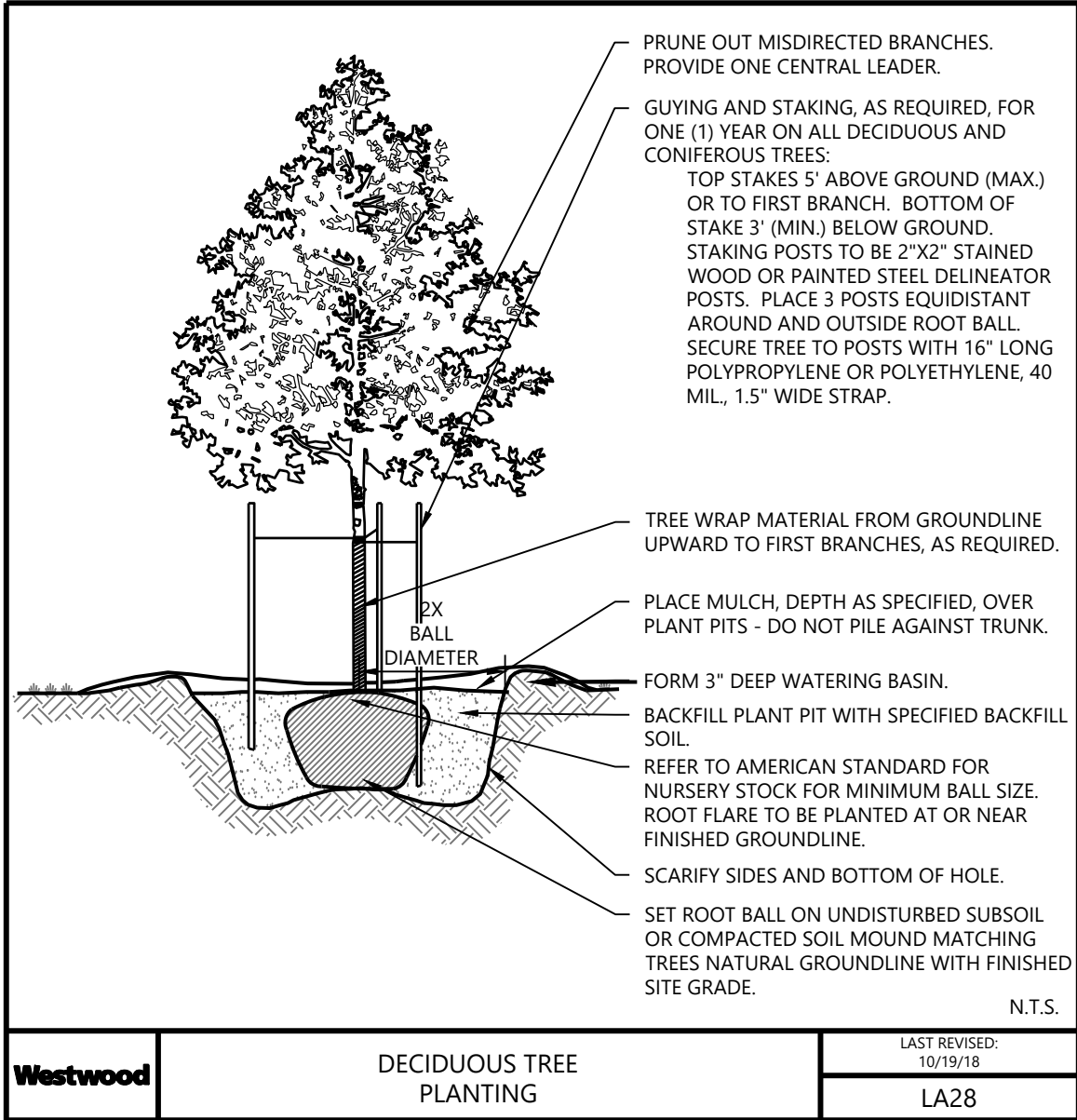
SHEET NUMBER:  
6 OF 7  
DATE: 02/09/23



PLANTING NOTES

1. CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
2. ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
3. NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
4. ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
5. CONTRACTOR SHALL PROVIDE ONE YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
6. ALL PLANTS TO BE SPECIMEN GRADE, MINNESOTA-GROWN AND/OR HARDY. SPECIMEN GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:  
ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.  
ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.  
ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.  
ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.  
CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
7. PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
8. PLANTS TO BE INSTALLED AS PER MNLA & ANSI STANDARD PLANTING PRACTICES.
9. PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
10. PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
11. OPEN TOP OF BURLAP ON BB MATERIALS; REMOVE POT ON POTTED PLANTS; SPLIT AND BREAK APART PEAT POTS.
12. PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
13. THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
14. BACKFILL SOIL AND TOPSOIL TO ADHERE TO MN/DOT STANDARD SPECIFICATION 3877 (SELECT TOPSOIL BORROW) AND TO BE EXISTING TOP SOIL FROM SITE FREE OF ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, AND LARGE WEEDS UNLESS SPECIFIED OTHERWISE. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREE, SHRUBS, AND PERENNIALS.
15. MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF SHREDDED HARDWOOD MULCH. SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BUFF LIMESTONE, 1 1/2" TO 3" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
16. EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
17. ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SODDED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOD TO BE STANDARD MINNESOTA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER MN/DOT SPECIFICATIONS. IF NOT INDICATED ON LANDSCAPE PLAN, SEE EROSION CONTROL PLAN.
18. CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
19. REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
20. REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.
21. RAIN GARDEN NOTE: PROVIDE AND INSTALL EROSION CONTROL BLANKET AT RAIN GARDEN AREA SIDE SLOPES AFTER ALL PLANTING HAVE BEEN INSTALLED. BLANKET TO BE ONE SEASON GEOJUTE, MN/DOT CATEGORY 2 (STRAW 1S, WOOD FIBER 1S), OR APPROVED EQUAL. BLANKET TO BE OVERLAPPED BY 4" AND ANCHORED BY SOD STAPLES. PLACE BLANKET PERPENDICULAR TO THE SLOPE. TRENCH IN EDGES OF BLANKET AREA TO PREVENT UNDER MINING. PROVIDE SILT FENCE AT TOP OF SLOPE AS NEEDED. SHREDDED HARDWOOD MULCH TO MATCH OTHER PROJECT PLANTING MULCH. PLACE 4" DEPTH OF MULCH AT ALL PLANTING AND EROSION CONTROL BLANKET AREA (NO FILTER FABRIC). SEE RAIN GARDEN DETAIL FOR FURTHER INFORMATION. RAIN GARDEN TO PROVIDE PROPER INFILTRATION AND DRAINAGE REQUIREMENTS PER ENGINEERS APPROVAL.

PLANTING DETAILS



Call 48 Hours before digging:

811 or call811.com  
Common Ground Alliance

DESIGNED:	CHF
CHECKED:	CHF
DRAWN:	TAS
HORIZONTAL SCALE:	###
VERTICAL SCALE:	## OR ##

INITIAL ISSUE: 02/09/23

REVISIONS:

△	.	.
△	.	.
△	.	.
△	.	.
△	.	.

PREPARED FOR:

SEASONAL INVESTMENTS, LLC

4068 SUNSET DRIVE  
SPRING PARK, MN 55384

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA

NICHOLAS T. MEYER

DATE: 02/09/23 LICENSE NO. 53774

ROCKVAM BOAT YARDS STORAGE  
FACILITY

INDEPENDENCE, MN

Westwood

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 westwoodps.com

Westwood Professional Services, Inc.

LANDSCAPE NOTES &  
DETAILS

PROJECT NUMBER: 0040835.00

SHEET NUMBER:

7

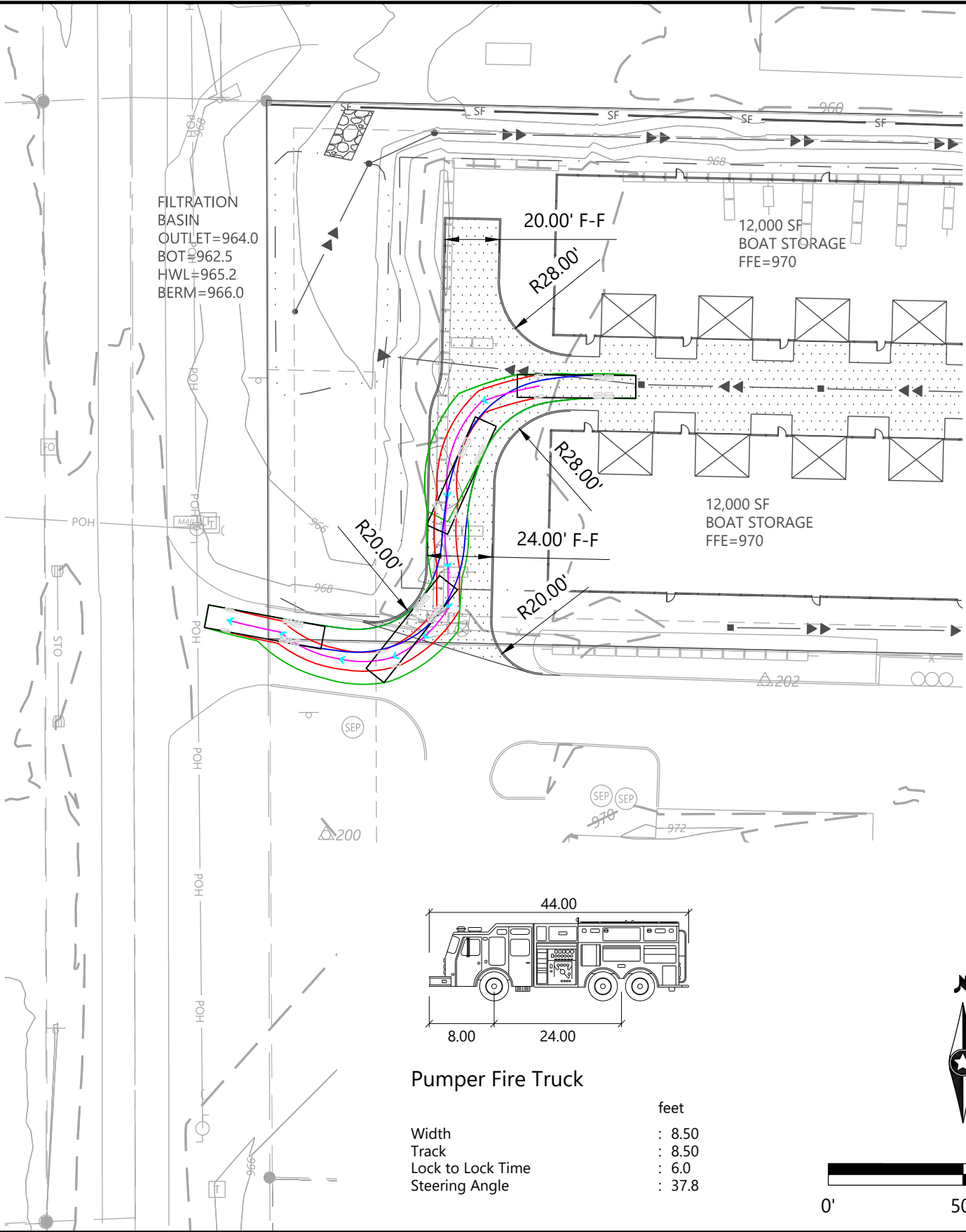
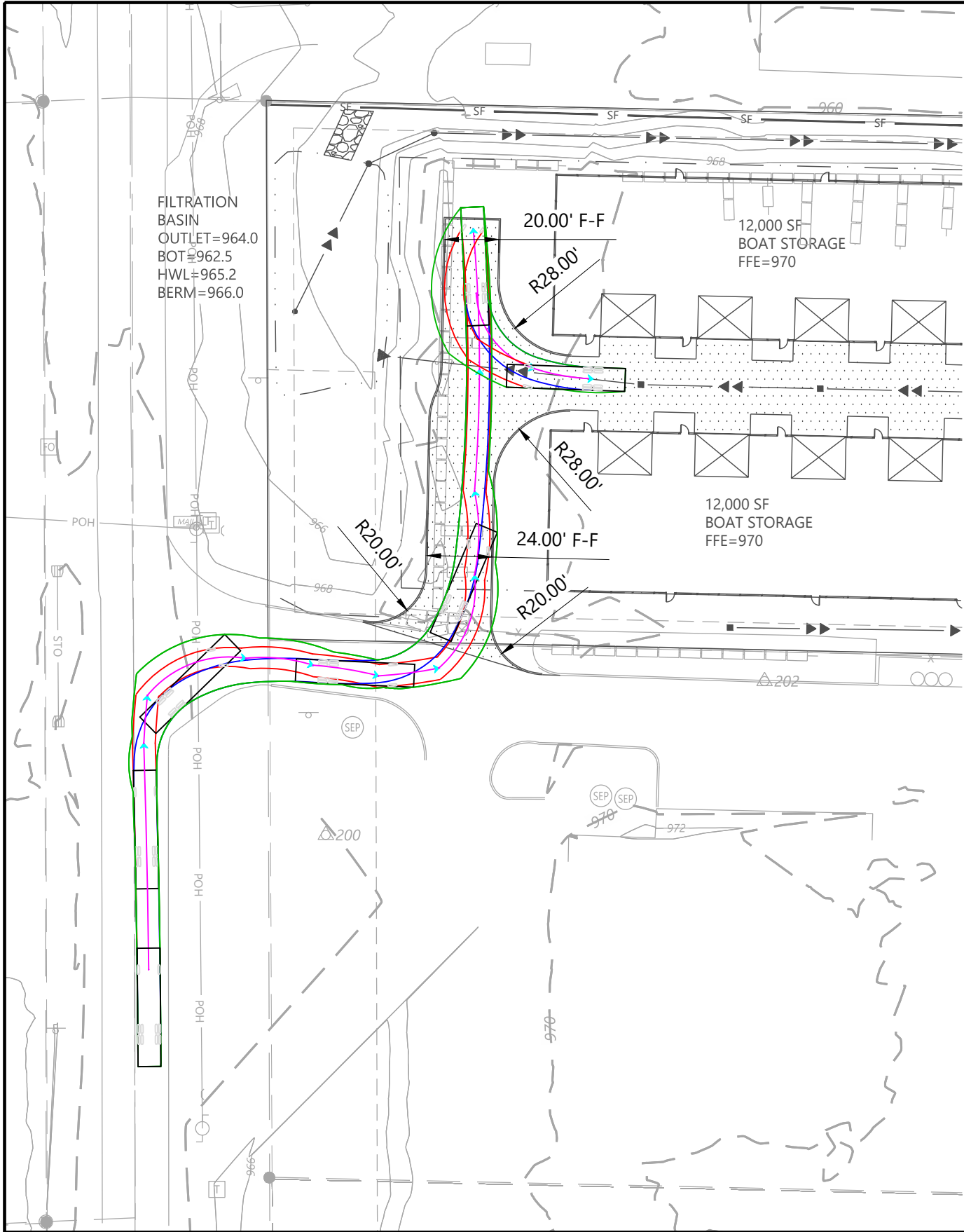
OF

7

DATE: 02/09/23



N:\0040835.00\DWG\EXHIBIT\0040835.00S-TURNING MOVEMENT.DWG



ROCKVAM BOAT YARDS STORAGE FACILITY

DESIGNED: \_\_\_\_\_  
CHECKED: \_\_\_\_\_  
DRAWN: \_\_\_\_\_  
FIELD CREW: \_\_\_\_\_  
FIELD WORK DATE: \_\_\_\_\_

PREPARED FOR:

**SEASONAL INVESTMENTS, LLC**

4068 SUNSET DRIVE  
SPRING PARK, MN 55384

**ROCKVAM BOAT YARDS STORAGE  
FACILITY**

INDEPENDENCE, MN

**Westwood**

Phone (952) 937-5150 12701 Whitewater Drive, Suite #300  
Fax (952) 937-5822 Minnetonka, MN 55343  
Toll Free (888) 937-5150 [westwoodps.com](http://westwoodps.com)

Westwood Professional Services, Inc.

**TURNING MOVEMENT  
EXHIBIT**

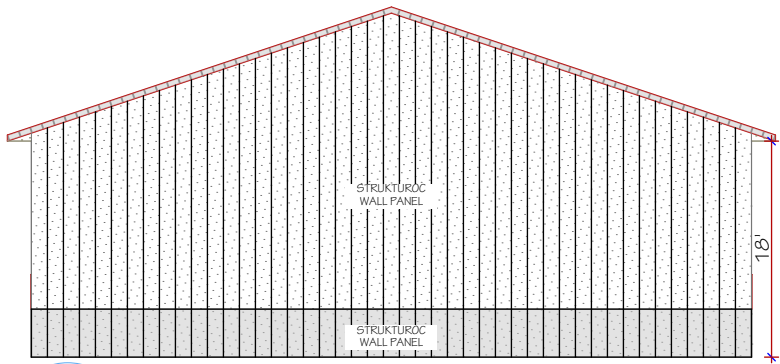
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PROJECT NUMBER: 0040835.00

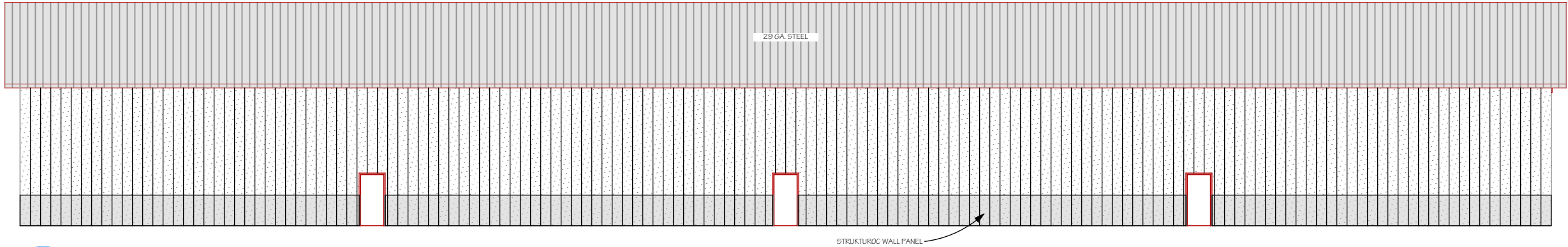
DATE: 03/17/2023





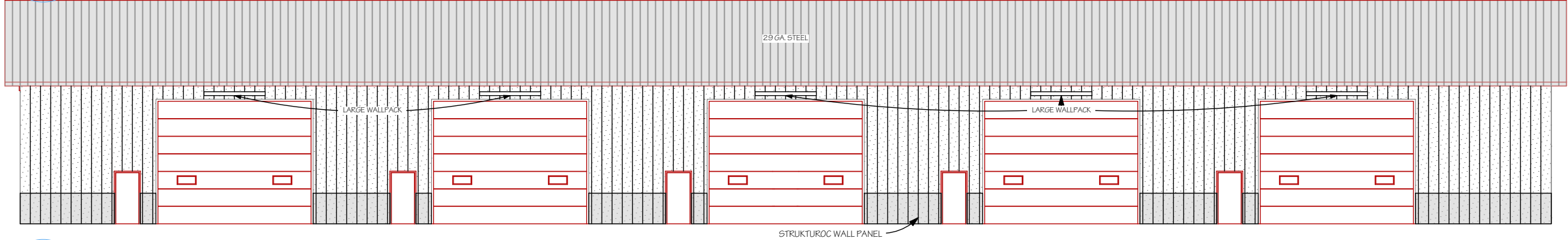
1  
A2

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



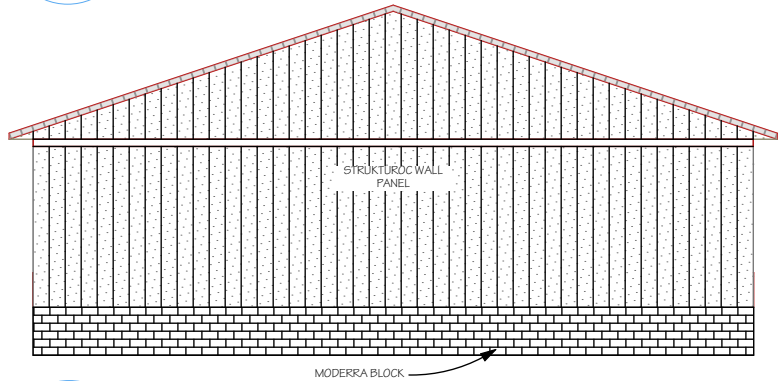
2  
A2

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



3  
A2

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



4  
A2

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

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UNAUTHORIZED REPRODUCTION OF THESE PLANS IS A VIOLATION OF FEDERAL LAW.

DRAWN BY: S.K.  
DATE: 4/18/2023  
SHEET 3 OF 3

PROJECT NAME: **Rockvram Boat Yards**  
PROJECT LOCATION: **1980 Co. Rd. 90 Independence MN 55359**  
BUILDING DESCRIPTION: **60'-0" X 200'-0" X 18'-0"**  
DESIGN NUMBER:

592 Industrial Drive  
Winnet, Minnesota 55395  
320-485-2844 800-710-4726  
Fax 320-485-3625  
www.rambuildings.com  
Contractor License Number 20171976

















■City of Independence

***Request for a Conditional Use Permit to Allow an Attached Accessory Dwelling Unit  
on the Property Located at 4082 Woodhill Drive***

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<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	May 2, 2023
<i>Applicant:</i>	Jeffrey Pitzenberger
<i>Owner:</i>	Jeffrey Pitzenberger
<i>Location:</i>	4082 Woodhill Drive

***Request:***

Jeffrey Pitzenberger (Applicant/Owner) requests that the City consider the following actions for the property located at 4082 Woodhill Drive, Independence, MN (PID No. 01-118-24-34-0012):

- a. A conditional use permit to allow an attached accessory dwelling unit (ADU) to be located on the subject property.

***Property/Site Information:***

The property is located at 4082 Woodhill Drive which is on the northeast corner of CSAH 11 and Woodhill Drive. The property has frontage on Lake Sarah and comprised of mostly upland with a wetland on the east side of the property. A new single-family home is proposed on the property.

**Property Information: 4082 Woodhill Drive**

**Zoning: RR-Rural Residential (Shoreland Overlay)**

**Comprehensive Plan: RR-Rural Residential**

**Acreage: 2.00 acres**





***Discussion:***

The applicant approached the City about the possibility of constructing a detached accessory dwelling unit on this property prior to acquiring the property. The property was recently platted as a part of the Lake Sarah Hill Subdivision. It was noted that the City's current ordinance does



not allow detached accessory dwelling units (ADU's) on properties less than 2.5 acres. For properties less than 2.5 acres, ADU's are required to be attached to the principal structure.

The applicant applied for a Variance and CUP seeking approval of a detached ADU on the property. The Planning Commission did review the request in 2022, but the applicant ultimately withdrew the application. The applicant has revised the plans and request for an attached ADU to be connected to the proposed new single-family home on the property.

The City considers allowing ADU's as a conditional use in the RR-Rrural Residential zoning district. The applicant has prepared plans for the development of the property which include both the principal and now attached accessory dwelling unit. The City has adopted standards requiring the ADU to be proportional and subordinate to the principal structure. The proposed principal house and accessory dwelling unit have the following specifics:

**Principal Home:**

3316 SF 1<sup>st</sup> and 2<sup>nd</sup> Floors (33% \* 3316 = 1094 SF)

**Accessory Dwelling Unit:**

Allowed SF

1094 SF allowed

Proposed SF

1,094 SF\* (Excludes attached garage)

\*Applicant has noted that the garage will be 453 SF.

<u>Setbacks</u>	<u>Required</u>	<u>Proposed</u>
Front Yard	85' from CL	100'+
Side Yard	30'	34' (north side)
Rear Yard	100' from OHWL	200'+

The proposed accessory dwelling unit is comprised 2 bedrooms, 2 baths, kitchen, family room, dining room, mud room, mechanical and attached garage. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

*Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is:*

- (a) Physically attached to or within a single-family dwelling unit or within a detached<sup>a</sup> accessory building that has a principal structure on the parcel; and*



**The applicant is proposing to construct an attached accessory dwelling unit as a result of the property being less than 2.5 acres.**

- (b) Subordinate in size to the single-family dwelling unit; and*

**The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.**

- (c) Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and*

**The proposed accessory dwelling unit would be fully separated by the attached garage that would separate the principal home and the proposed accessory structure.**

- (d) Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

**The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.**

- (e) The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and*

**The principal structure is proposed to be 3,316 square feet of above ground living space not including the walkout basement. 33% of 3,316 square feet equals 1,094 square feet. The applicant has proposed a 1,094 SF detached accessory structure.**

- (f) Not in excess of the maximum square footage for accessory structures as permitted in this code; and*

**The existing property is 2.5 acres in size and is limited to 1,850 square feet for the total square footage for all detached accessory structures. The proposed attached structure would not count towards the total detached accessory structure SF.**

- (g) Has permanent provisions for cooking, living and sanitation; and*

**The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction).**

- (h) Has no more than 2 bedrooms; and*

**The applicant is proposing to have two (2) bedrooms within the proposed accessory dwelling unit.**



- (i) *Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code; and*

**The owner of the property is proposing that the accessory dwelling unit will be occupied by his family.**

- (j) *Uses the existing on-site septic system<sup>b</sup> or an approved holding tank; and*

**The proposed accessory structure will be connected to the City sewer line that will also serve the principal residence.**

- (k) *Respectful of the future subdivision of the property and the primary and secondary septic sites. The City may require a sketch of the proposed future subdivision of a property; and*

**The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.**

- (l) *In compliance with the adopted building code relating to all aspects of the dwelling unit.*

**The applicant will be required to obtain a building permit for all proposed improvements.**

<sup>a</sup> *On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

<sup>b</sup> *The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, floor plan and illustrations of the proposed ADU and principal structure. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

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.*

There are several items that could be considered by the City:

1. The applicant has revised the proposed ADU to be an attached structure in compliance with the applicable standards for lots less than 2.5 acres.

Ultimately the City will need to find that the criteria for granting a conditional use permit have been satisfied by the applicant. This property is 2 acres in size and is limited to an attached ADU in accordance with the City standards. The proposed new home and ADU appear to be designed so that they are compatible and consistent.

### ***Neighbor Comments:***

The City has not received any written comments regarding the proposed conditional use permit to allow an accessory dwelling unit.

### ***Planning Commission Discussion:***



Commissioners discussed the request and asked questions of staff and the applicant. Commissioners reviewed the proposed ADU plans and confirmed that the space connecting the house and ADU would be used as a garage and or storage. Commissioners found that the proposed attached ADU met the criteria for granting a CUP and recommended approval to the City Council.

***Recommendation:***

The Planning Commission recommended approval of the requested 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 issued subject to the following items being completed:
  - a. The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
  - b. The ADU can be no greater than 1,094 SF.
  - c. The ADU will be constructed in accordance with the approved plans.
  - d. The ADU will meet all applicable setbacks of the City's zoning ordinance. An updated and signed survey confirming and detailing all proposed building setbacks and grading and drainage will be required to be submitted prior to issuance of the building permit.
3. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

***Attachments:***

1. Application
2. Site Plan
3. Proposed Accessory Dwelling Unit Floor Plan
4. ADU Illustration
5. Principal Home First Floor Plan and Elevation





RESOLUTION OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA

**RESOLUTION NO. 23-0502-02**

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO  
ALLOW AN ATTACHED ACCESSORY DWELLING UNIT ON THE PROPERTY  
LOCATED AT 4082 WOODHILL ROAD**

**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** Jeffrey Pitzenberger (Applicant/Owner) is requesting a conditional use permit to allow an attached accessory dwelling unit on the property located at 4082 Woodhill Road (PID No. 01-118-24-34-0012) in the City of Independence, MN:

**WHEREAS**, the Property is zoned Rural Residential (“RR”); and

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

**WHEREAS**, Section 530.01, Subd. 4 of the City Code provides that an “accessory dwelling unit” is a conditional use in the RR- Rural Residential zoning district; and

**WHEREAS** the requested accessory dwelling unit, with the conditions imposed by this Conditional Use Permit, meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture property; and

**WHEREAS** the Planning Commission held a public hearing on April 18, 2023, to review the application for a 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 has now concluded that the application, with the conditions noted below, 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 Jeffrey Pitzenberger to grant a Conditional Use Permit for the subject property in accordance with the City's zoning regulations 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 issued subject to the following items being completed:
  - a. The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
  - b. The ADU can be no greater than 1,094 SF.
  - c. The ADU will be constructed in accordance with the approved plans shown on **Exhibit B** attached hereto.
  - d. The proposed accessory structure cannot be expanded or enlarged without the review and approval of the City. Any expansion will require an amendment to the conditional use permit following all applicable procedures.
  - e. The ADU will meet all applicable setbacks of the City's zoning ordinance. An updated and signed survey confirming and detailing all proposed building setbacks and grading and drainage will be required to be submitted prior to issuance of the building permit.
3. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

This resolution was adopted by the city council of the City of Independence on this 2<sup>nd</sup> day of May 2023, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

---

Marvin Johnson, Mayor

ATTEST:

---

Mark Kaltsas, City Administrator



**Exhibit A**  
*(Legal Description)*

*Lot 1, Block 1, Lake Sarah Hill*



# Exhibit B

(Approved Plan)

Planning & Zoning Department: Application for Planning Consideration  
**BLUE PENCIL COLLECTIVE®**

Note: All finishes to match the Proposed Primary Dwelling.



RE: ADU Conditional Use Permit

Prepared by:  
Blue Pencil Collective®, LLC  
Architecture + Design Agency for the Pitztenberger Residence

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2150 3rd Street, White Bear Lake MN 55103 • (651) 968-4487 • www.bluepencilcollective.com

1

Planning & Zoning Department: Application for Planning Consideration  
**BLUE PENCIL COLLECTIVE®**



Site Plan



Conceptual Floor Plan Plan

RE: ADU Conditional Use Permit

Prepared by:  
Blue Pencil Collective®, LLC  
Architecture + Design Agency for the Pitztenberger Residence

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2



## 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)*
- ☐ *Variance*
  - ☐ Subdivision Regulations
  - ☐ Zoning
  - ☐ Road Frontage
- ☐ *Zoning Text Amendment*

*\*Please check all that apply*

### Request:

Conditional Use Permit for an Accessory Dwelling Unit attached to the garage of the main dwelling. Refer to Conceptual Planning Diagram and Exterior 3D Massing Study for details.

### Site Address or Property Identification Number(s):

4082 Woodhill Drive, Independence, MN 55357

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

### Office Use Only

Date

Application Amount

Application Check #

Escrow Paid

Escrow Check #

Date Accepted by Planner

Accepted By

City Planner



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

**Applicant Information:**

Name: Kasey Johnson

Address: 2150 3rd St, Ste 5

City, State, Zip: White Bear Lake, MN 55110

Phone: 612-201-3504

Email: kasey@bluepencilcollective.com

Signature: Kasey Johnson

**Owner Information (if different than applicant)**

Name: Jeff and Leah Pitzenberger

Address: 4082 Woodhill Drive

City, State, Zip: Independence, MN 55357

Phone: 763-458-3907

Email: pitzzy20@hotmail.com

Signature: Jeff Pitzenberger

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

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

---

***Application for Planning Consideration Fee Statement***

---

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

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

Applicant Signature: Kasey Johnson  
Date: 03/10/2023

Owner Signature (if different): Jeff Pitzenberger  
Date: 03/10/2023



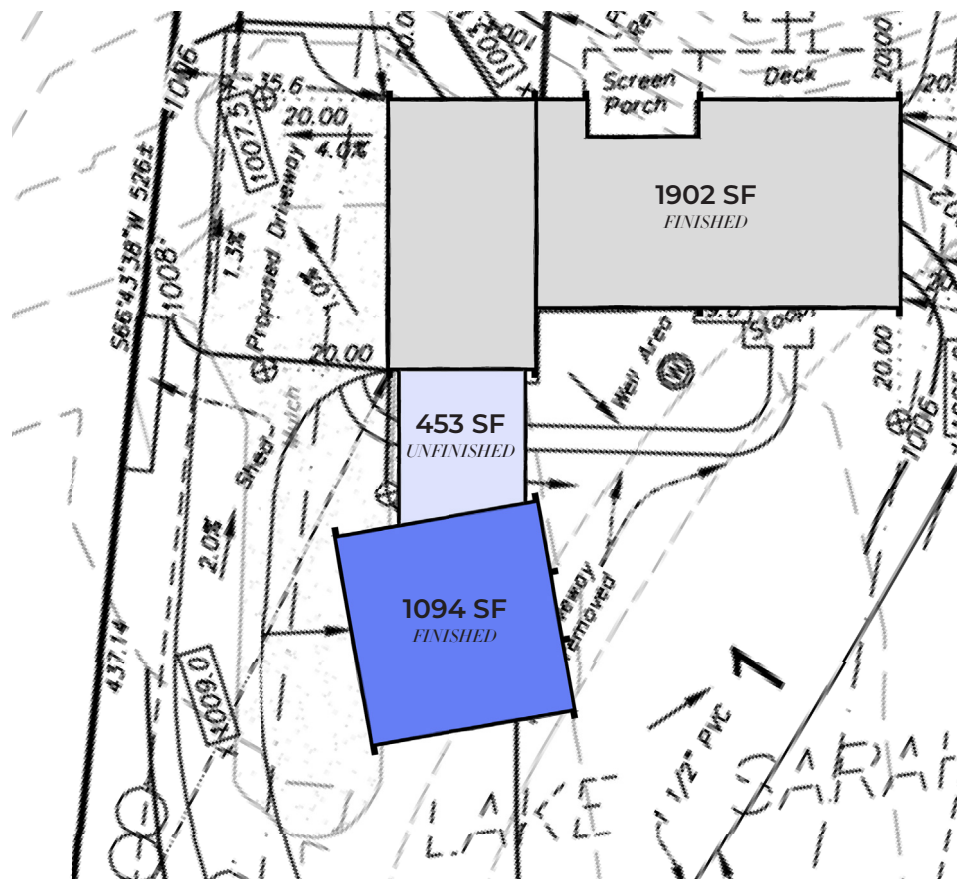
**Note: All finishes to match the Proposed Primary Dwelling.**



**RE: ADU Conditional Use Permit**

Prepared by:  
Blue Pencil Collective®, LLC  
Architecture + Design Agency for the Pitzenberger Residence

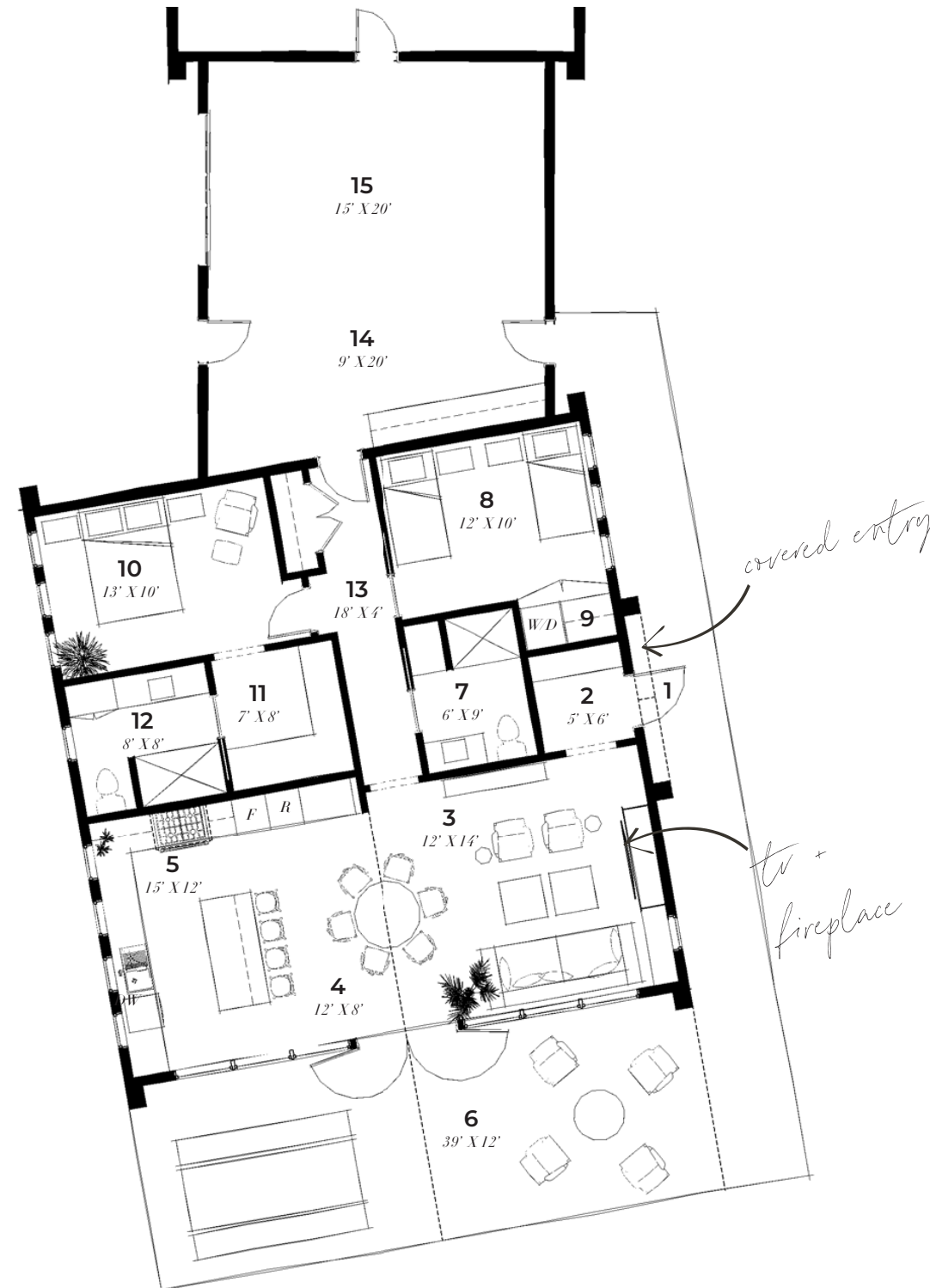




*Site Plan*

**RE: ADU Conditional Use Permit**

Prepared by:  
 Blue Pencil Collective®, LLC  
 Architecture + Design Agency for the Pitzenberger Residence



*Conceptual Floor Plan Plan*

- 1 Front Patio
- 2 Entry
- 3 Living Room
- 4 Dining Room
- 5 Kitchen
- 6 Patio
- 7 Guest Bathroom
- 8 Guest Bedroom
- 9 Guest Closet
- 10 Primary Bedroom
- 11 Primary Closet
- 12 Primary Bathroom
- 13 Hallway
- 14 Workshop
- 15 Garage





GENERAL CONTRACTOR

FOR REFERENCE ONLY - MARCH 10, 2023

PROJECT

## PITZENBERGER RESIDENCE

## PROJECT ISSUE

**FOR REFERENCE  
ONLY**

Job Number	00097.01
Drawn	KJ
Checked	RN/KJ
Approved	RN

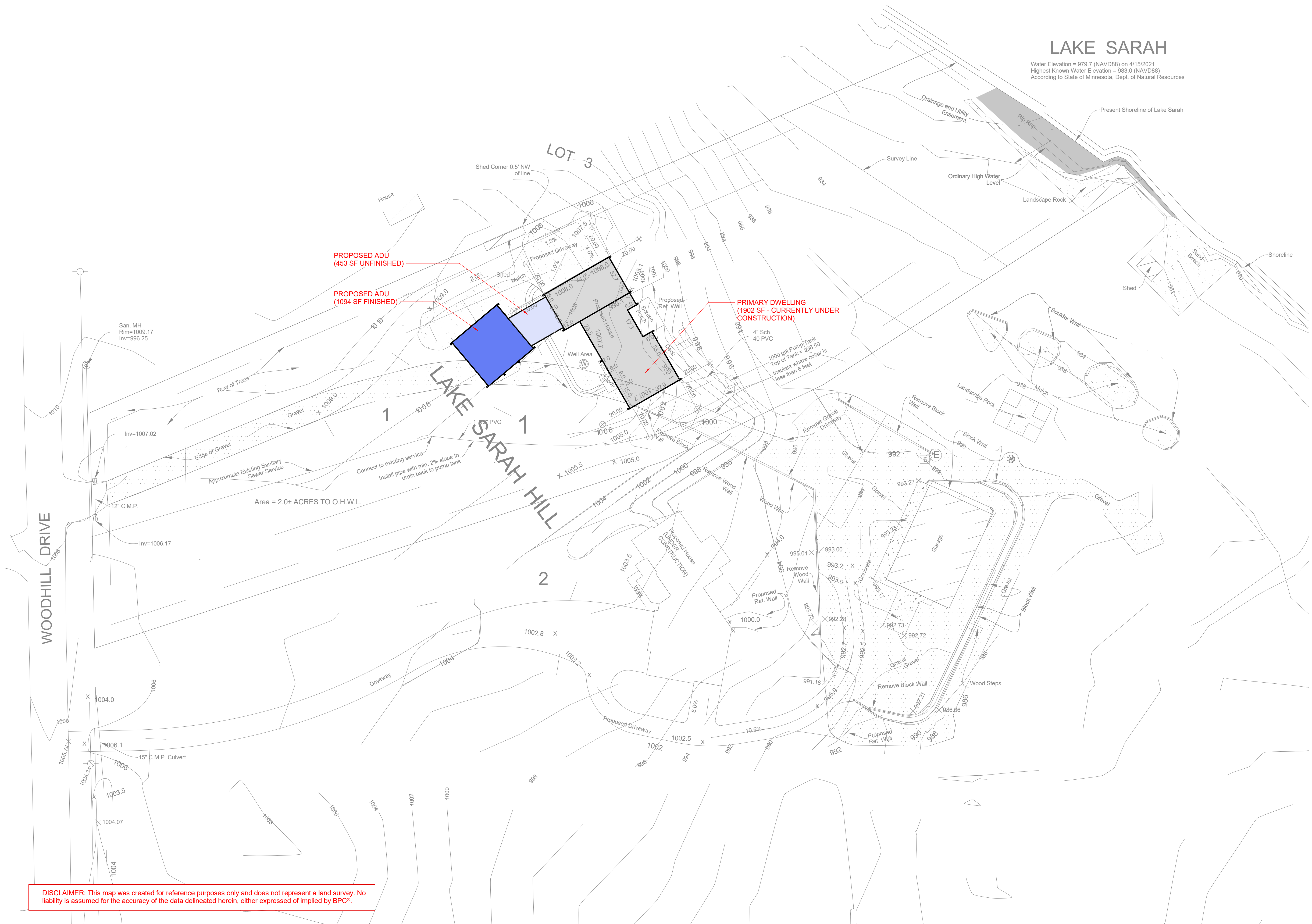
TITL

# ADU CONDITIONAL USE PERMIT - CONCEPTUAL PLANNING DIAGRAM

SHEET NUMBER

## A01.01

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**A1** ADU CONDITIONAL USE PERMIT - CONCEPTUAL PLANNING DIAGRAM  
1" = 30'-0"



# City of Independence

## City Council Meeting Date Discussion

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To: City Council  
From: Mark Kaltsas, City Administrator  
Meeting Date: May 2, 2023

### ***Discussion:***

Staff was reviewing the upcoming meeting schedule and noted the potential for several conflicts due to holidays, the election and vacation. Staff would like to discuss making a few changes to the 2023 meeting schedule all at one time so that the meeting schedule can be updated. The following changes are for discussion and additional alternative dates can be made.

### Meeting Date Conflicts

Tuesday, June 20  
Tuesday, July 4  
Tuesday, August 15  
Tuesday, November 7

### Proposed Meeting Date

Tuesday, June 27  
No Meeting  
Tuesday, August 29  
Monday, Nov. 6 or Wednesday, Nov. 8

### ***Recommendation:***

Staff is seeking Council discussion and direction related to the meeting schedule.