

#### **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 June 16, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19703-19738.
- c. Approval of Election Judges for the August 2020 Primary Election.
- d. 2<sup>nd</sup> Quarter Building Permit Report (for Information).
- 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. Brett and Paige Broekema (Owner/Applicant) requests that the City consider the following actions for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002):
  - a. **ORDINANCE No. 2020-02:** Rezoning from AG-Agriculture to RR-Rural Residential; and
  - b. **RESOLUTION 20-0707-01:** A minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions.
- 8. Open/Misc.
- 9. Adjourn.

Fax: 763.479.0528

# MINUTES OF A REGULAR MEETING OF THE INDEPENDENCE CITY COUNCIL TUESDAY, JUNE 16, 2020 –6:30 P.M.

#### 1. CALL TO ORDER.

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

#### 3. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

#### 2. ROLL CALL

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

ABSENT: City Attorney Vose

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner, Public Works Supervisor Bode

VISITORS: WHPS Chief Kroells

#### 3. \*\*\*\*Consent Agenda\*\*\*\*

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

- a. Approval of City Council Minutes from the May 28, 2020 City Council Special Meeting.
- b. Approval of City Council Minutes from the June 2, 2020 Regular City Council Meeting.
- c. Approval of Accounts Payable; Checks Numbered 19671-19702.

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

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

Spencer added a discussion item regarding a Planning Commissioner posting erroneous information.

#### 5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

#### **Spencer attended the following meetings:**

- Jordan Spencer's graduation
- Various conversations with residents about Lake Independence's high-water level

#### Grotting attended the following meetings:

• None to report

#### **McCoy** attended the following meetings:

• None to report

1 City of Independence City Council Meeting Minutes 6:30 p.m. June 16, 2020

#### Betts attended the following meetings:

- West Hennepin Chamber of Commerce Meeting (via Zoom)
- Micki Hay's funeral

#### Johnson attended the following meetings:

#### (all meetings were via zoom)

- National League of Cities- two meetings
- National League of Cities Small Cities Conference
- West Hennepin Chamber of Commerce Meeting
- Northwest League of Municipalities Meeting
- Dave Thill's retirement drive-by
- National League of Cities Resource Meeting

#### **Horner attended the following meetings:**

• None to report

#### **Kaltsas attended the following meetings:**

- MnDOT and Hennepin County Highway 12 Update Meeting
- 6. West Hennepin Public Safety Director Gary Kroells: Presentation of the May 2020 Activity Report.

Kroells stated that at the end of May West Hennepin Public Safety handled a year-to-date total of 2,091 incidents. For the month of May, 260 were in Independence and 122 in the City of Maple Plain.

\*for a complete report see the packet online\*

- 7. National League of Cities (NLC) Service Line Warranty Program.
  - a. **RESOLUTION 20-0616-01:** Authorizing City to Enter into a Marketing Agreement Offering the Program to Residents.

Kaltsas noted The National League of Cities (NLC) Service Line Warranty Program, offered by Utility Service Partners, a HomeServe Company, was conceived in partnership with the National League of Cities to educate property owners about their service line responsibilities and to help residents avoid the out-of-pocket expense for unanticipated and potentially costly service line repairs and replacements. The program, the only one of its kind endorsed by the NLC and members of the League of Minnesota Cities Business Leadership Council, will help the City of Independence to achieve its goals by:

- Providing homeowners affordable protection against significant and unexpected costs to remedy leaking/broken/ clogged water lines, sewer lines, and in-home plumbing lines
- Ensuring the delivery of timely, high-quality repair services in adherence to all applicable codes
- Providing exemplary service that reflects positively on the City
- The program generates an ongoing, sustainable source of revenue for the City and stimulates the local economy by using fully vetted local area contractors to complete the repairs
- The City will receive a royalty of \$0.50 per product per month for the duration of the program.

**COVERAGE**: NLC Service Line Warranty Program offers three complete and separate voluntary programs. There is never a service fee/deductible or annual or lifetime limit. Residents can cancel the

warranties at any time.

**Exterior Water Service Line:** Includes service to locate, excavate and repair/replace a leaking exterior water service line. Covered repairs include, but are not limited to leaks, breaks, corrosion, blockages, root intrusion, and other types of damage (such as from freezing) that impair or limit the intended function of the system. Includes thawing of frozen water lines. Includes restoration of ground surface features after excavation for service line repair, including filling, raking, reseeding, reinstallation of existing soft landscaping and shrubbery and patching of paved surfaces.

**Exterior Sewer** Includes services to locate, excavate and repair/replace a leaking exterior sewer service line. Covered repairs include, but are not limited to leaks, breaks, corrosion, blockages (due to fats, oils and grease), root intrusion, and other types of damage (such as from freezing) that impair or limit the intended function of the system. Includes restoration of ground surface features after excavation for service line repair, including filling, raking, reseeding, reinstallation of existing soft landscaping and shrubbery, and patching of paved surfaces.

**Internal Plumbing and Drainage:** Coverage includes the emergency breakdown costs of repairing or replacing interior water, sewer, and drainage pipe materials, valves and other plumbing-related material, including unblocking, repair and replacement. Repair of clogged toilets.

**Implementation:** The NLC Service Line Program will utilize the City logo to brand the materials used to educate City customers about our repair service plans. Program marketing literature clearly discloses that the Program and the City are separate entities and that the program is voluntary for residents. The NLC Service Line Warranty Program will create all marketing materials with input from the City and will submit all marketing/communications materials to the City for final approval.

**Financial Impact:** No cost to the city to participate and the City would receive \$0.50 per product per month royalty.

Conclusion: Staff recommends that the City Council discuss and approve **RESOLUTION 20-0616-01** City should enter into the Royalty Marketing Agreement.

Johnson noted Watertown has used this service for several years and wondered what the participation rate was there. Kaltsas said he was not sure but knew a lot of those residents had a lot of gaps in their services which makes this an attractive option for coverage.

Grotting asked about private well and septic coverage and maybe appropriate for a larger system. Kaltsas said the City is not getting involved beyond providing marketing leveraging to them and it is endorsed by the National League of Cities which allows them to market if Council approves. Spencer noted homeowners can receive a surprise bill so many could benefit from it.

Betts asked if it was only for around the lakes. Kaltsas said they offer other services as well addressing septic systems and in-hone plumbing.

Motion by McCoy, second by Spencer to approve RESOLUTION 20-0616-01: Authorizing City to Enter into a Marketing Agreement Offering the Program to Residents approved by the National League of Cities (NLC) Service Line Warranty Program. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

8. Review and Approve Covid-19 Preparedness Plan in Accordance with Executive Order 20-48.

Kaltsas said the City Council is required to approve preparedness plan in accordance with Executive Order 20-48. Staff has prepared a plan to meet the requisite order. The plan outlines basic processes and procedures for ensuring the safety of our employees and visitors as we begin reopening City Hall. In general, staff will continue to operate in a manner that limits exposure, maintains recommended protocols and provides the highest level of service to our residents.

Motion by Johnson, second by Grotting to approve Covid-19 Preparedness Plan in Accordance with Executive Order 20-48. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

#### 9. OPEN/MISC.

Spencer noted a recent social media posting by a Planning Commissioner Member containing many inaccurate comments specifically that portrays the City as "anti-agricultural". Spencer asked if the attorney was aware of the postings and Kaltsas stated the City attorney was aware and it will be pulled from the agenda until a future date as all information is collected.

#### 10. ADJOURN.

Motion by Spencer, second by McCoy to adjourn at 7:23 p.m. Ayes: Johnson, Betts, Grotting, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted, Trish Gronstal/ Recording Secretary



#### City of Independence

#### Approval of Election Judges for the Primary Election

To: City Council From: Beth Horner Meeting Date: July 7, 2020

#### **Discussion**:

The City Council is required to appoint election judges for the upcoming 2020 Primary Election. Staff has prepared a list of judges for consideration by the City Council. The following election judges can be considered for appointment by the City Council:

- Charlie Hayes
- Marilyn Hamilton
- Jerry Wise
- Julie Grist
- Damon Kocina
- Andrea Combs
- Lori McNamara
- Kathy Quandt
- Judy Crosby

#### **Recommendation:**

It is recommended that the City Council approve the appointment of the aforementioned election judges.

1/1/2020 20 C4 Paraga Paging	1475 Nolson Dd	20 21 0002	Doof/Cido/win	2				F22	2	F20	¢112 140 02
4/1/2020 20-64 Renner Roofing	1475 Nelson Rd	30-21-0003	Roof/Side/win	3				523		520	\$113,140.92
4/1/2020 20-65 Bob Volkenant	1030 County Road 83		Re-roof	1				101	1	100 ??	440,000,00
4/2/2020 20-66 Star Exteriors	3201 County Road 92		Re-roof	1				101	1	100	\$10,000.00
4/3/2020 20-67 Boyer Builders	1911 N Budd St	24-31-0003	Remodel		1	1	100	2942.6		2840.6	\$200,000.00
4/3/2020 20-68 JW Construction	5645 Koch Crossing	14-14-0010	Deck				10	555.96	10	545.96	\$20,000.00
4/7/2020 20-69 Scherer Bros	1215 Copeland Rd	30-14-0002	15 Windows	1				241	1	240	\$26,449.00
4/7/2020 20-70 All Star Construction	3380 Brei Kessel	11-43-0004	Re-roof	1				101	1	100	\$15,860.00 FINAL
4/7/2020 20-71 Trinity Exteriors	6760 Fogelman Rd	10-43-0005	Re-side	1				101	1	100	\$9,500.00
4/7/2020 20-72 Safe Basements	3010 Becker Rd	14-21-0007	Draintile			1		101	1	100	\$3,150.00
4/13/2020 20-73 Jim Buck	8303 Rachel Ridge	03-12-0001	Room Finish				1.5	142.98	1.5	1.48	\$3,000.00
4/13/2020 20-74 Dan Etzel	6220 Pagenkopf Rd	14-33-0009	Gas mech		1			101	1	100	
4/13/2020 20-75 Brad Hayes	1020 County Road 83	25-32-0007	Septic					300			\$10,000.00
4/13/2020 20-76 Brad Hayes	5809 Robert Rd	35-42-0006	Septic					300			\$18,000.00
4/13/2020 20-77 Brad Hayes	5844 Robert Rd	35-42-0001	Septic					300			\$18,000.00
4/13/2020 20-78 Brad Hayes	5873 Robert Rd	35-42-0004	Septic					300			\$18,000.00
4/14/2020 20-79 Aspen Exteriors	5303 Creekview Gree	The second second second	Re-roof	1				101	1	100	\$30,805.70 FINAL
4/14/2020 20-80 Allstar Construction	2998 Lindgren Lane	13-24-0005	Re-roof	1				101	1	100	\$7,020.00 FINAL
4/14/2020 20-81 Bischel Building	190 County Road 92	32-44-0003	Windows	_			1	201	1	200	\$30,000.00 FINAL
4/15/2020 20-82 NMC Exteriors	5983 County Road 6	35-12-0001	Re-roof	1			_	101	1	100	\$7,000.00 FINAL
4/15/2020 20-83 Robert Craig Homes	5876 County Road 6	26-43-0001	Re-model	1	1	1	22.5	1332.73	24.5	1308.23	\$45,000.00
	1989 Budd St. N.	24-31-0020	Shed		1	1	0.5	66.36			\$1,000.00
4/16/2020 20-84 Ben Cooper				1			0.5			65.86	
4/21/2020 20-85 Pella Northland	2752 Copeland	17-32-0002	Windows/door	1				161	1	100	\$101,681.00
4/21/2020 20-86 TRS Builders	7950 Egret	16-32-0003	Reroof/siding	2				202	2	200	\$35,000.00
4/21/2020 20-87 Gates General	2465 Co Rd 92	17-44-0008	Re-roof	1				101	1	100	\$58,681.00
4/21/2020 20-88 Pella Northland	5401 Lake Sarah Hgts		2 doors	1				111	1	110	\$11,541.00
4/21/2020 20-89 Allstar Construction	9177 Dean Lane	19-43-0003	Re-roof	1				101	1	100	\$28,000.00
4/21/2020 20-90 All Around Roofing	3910 Independence	12-22-0003	Re-roof	1				101	1	100	\$12,170.00
4/22/2020 20-91 Atlantis Pool	2605 Providence Ct	14-43-0007	Pool		1	1		1056	2	1054	\$35,000.00
4/22/2020 20-92 Maverick Constr	7824 Co Rd 6	33-22-0023	Re-roof	1				101	1	100	\$14,000.00 FINAL
4/22/2020 20-93 Next Gen. Constru	3070 Independence	13-22-0006	Re-roof	1				201	1	200	
4/22/2020 20-94 Roof Company	637 Nelson Rd	31-21-0006	Re-roof	1				101	1	100	\$28,400.00
4/22/2020 20-95 Allstar Construction	6285 Warren Way	14-33-0004	Re-roof	1				201	1	200	\$37,691.00 FINAL
4/22/2020 20-96 Tom Ryan	2555 Cty Rd 92	17-43-0008	Addition	1		1		102	2	100	\$200,000.00
4/27/2020 20-97 Ram Builders	7575 County Rd 6	33-12-0005	Pole bldg					960			\$41,000.00
4/28/2020 20-98 Energy Concepts	8303 Burr Oak	08-42-0002	Solar				12.50	677	12.5	664.5	\$25,143.00
4/28/2020 20-99 Greatstone Constr	2670 County Rd 90	14-32-0012	Re-roof	1				101	1	100	\$19,500.00
4/28/2020 20-100 Maetzold Homes	6625 Fogelman Rd	10-43-0009	Re-roof	1				101	1	100	
4/28/2020 20-101 Trinity Exteriors	2335 Independence	24-21-0002	Re-roof	1				101	1	100	\$4,500.00
4/29/2020 20-102 Two Teachers Const		23-11-0007	Rails/deck				8	458	8	450	\$16,000.00
4/29/2020 20-103 DB Raskob Constr.	6220 Pagenkopf Rd	14-33-0009	Roof/side/win	3				413	3	410	\$16,000.00
4/30/2020 20-104 All Around roofing	9235 Kutz Crossing	31-21-0001	Reroof	1				201	1	200	\$33,013.00
4/30/2020 20-105 All Around roofing	2515 Nelson Rd	18-34-0003	Reroof	1				101	1	100	\$11,934.00
4/30/2020 20-106 All Around roofing	2772 Becker Rd	14-42-0002	Re-roof	1				101	1	100	\$20,541.00
4/30/2020 20-100 All Around rooming	3315 County Road 92		Septic Septic	т.				300	70 15 15 15 15 15 15 15 15 15 15 15 15 15	100	\$18,000.00
4/30/2020 20-107 Hayes & 30HS 4/30/2020 20-108 Jerry Timpe	6125 Main St	26-21-0004	Fence				E-MESSON AND	40		A STATE OF THE STATE OF	910,000.00
4/30/2020 20-108 Jerry Timpe 4/30/2020 20-109 Jim & Lindy Nelson	4586 Shady Beach Cr	02-21-0004	Addition		1	1		2441	2	2439	\$150,000.00
5/6/2020 20-110 Allstar Construction	9384 Co Rd 6	31-13-0005		1	т	Т					
2/0/2020 20-110 Allstar Construction	3304 CO KU D	21-12-0002	Re-roof	1				101	1	100	\$11,885.00

5/6/2020 20-111 All Around Roofing	292 County Rd 92	32-41-0017	Re-roof	1			20:	1 1	200	\$18,084.00
5/6/2020 20-111 All Around Rooming 5/6/2020 20-112 Sela Roofing	2410 Providence Path		Re-roof	1			10:		100	\$40,835.00
	6220 Pagenkopf Rd	14-33-0009	Fireplace	1	1		10:		100	\$1,500.00
5/6/2020 20-113 Glowing Hearth 5/6/2020 20-114 Countryside Heating	1918 County Rd 90	23-32-0010	AC		1		10:		100	\$3,408.00
	840 Wild Oak Trail	27-33-0003	Re-roof	1	1		10:		100	\$29,000.00 FINAL
5/7/2020 20-115 Midwest Roofing				1						
5/7/2020 20-116 Midwest Roofing	865 Wild Oak Trail	27-33-0004	Re-roof	1			10:		100	\$32,000.00 FINAL
5/7/2020 20-117 Midwest Roofing	6525 Hillstrom Rd	22-14-0006	Reroof	1			10:		100	\$32,000.00
5/7/2020 20-118 Perfect Exteriors	2555 County Road 90		Re-roof	1		-	10:		100	\$15,028.00 FINAL
5/8/2020 20-119 Brent Johnson	6945 Dylan Lane	03-13-0003	Deck	4		5	31:		308	\$10,500.00
5/11/2020 20-120 Allstar Roofing	3085 Independence Ro		Re-roof	1			10:		100	A20 F46 00
5/11/2020 20-121 Sela Roofing	6085 Pagenkopf Rd	23-21-0002	Re-roof	1			10:		100	\$39,546.00
5/12/2020 20-122 BGM Const.	2025 Budd St.	24-24-0011	Septic Pole bldg			72.5	300		2116 4	¢14F 000 00
5/12/2020 20-123 Norling Home Impro	2324 Copeland Rd	20-21-0003			1	72.5	2189		2116.4	\$145,000.00
5/12/2020 20-124 Comfort Matters	2752 Copeland Rd	17-32-0002	Furnace A/C		1	25	20:		200	\$13,000.00
5/13/2020 20-125 Latchana Lumber	5161 Perkinsville Rd	25-11-0004	Pole Bldg	4		25	1119		1094	\$50,000.00
5/13/2020 20-126 Al Hackbarth	2246 Old Post Rd	22-12-0010	Re-roof	1			10:		100	\$10,000.00
5/13/2020 20-127 Kenilworth Const	6055 Fieldstone	23-24-0004	Re-roof	1			10:		100	\$139,741.00
5/13/2020 20-128 Kenilworth Const	3664 County Rd 90	11-24-0006	Water htr			1	5:		50	\$1,400.00
5/14/2020 20-129 All Energy Solar	1115 County Road 83		Roof solar	2		4.5	288		283.5	\$9,375.00
5/14/2020 20-130 Kevin Danielson Cons.		16-32-0005	Roof/siding	2			20:		200	\$20,000.00
5/14/2020 20-131 Trinity Exteriors	6515 Fogelman Rd	10-44-0008	Siding	1			10:		100	\$2,250.00
5/18/2020 20-132 Htg & Cooling Two	1911 Budd St.	24-31-0003	Mech.		1		10:	1 1	100	\$8,680.00
5/18/2020 20-133 Blue Ox Exteriors	7364 County Road 6	33-11-0003	Re-roof	1			10:	1 1	100	\$24,000.00
5/18/2020 20-134 Foss Exteriors	5780 Providence Crv	11-44-0002	Re-roof	1			10:	1 1	100	\$46,300.00
5/19/2020 20-135 Eagle Windows	7902 Egret Dr.	16-32-0004	19 windows	1			28:	1 1	280	\$18,925.00
5/19/2020 20-136 Pella Northland	1875 Highstead Dr	20-42-0002	windows/door	1			18:	1 1	180	\$29,394.00
5/19/2020 20-137 Kenilworth Constr	6055 Fieldstone	23-24-0004	Re-roof	1			10:	1	100	\$139,741.00
5/20/2020 20-138 Turnkey Restoration	5949 Pagenkopf Rd	23-12-0016	Re-roof	1			10	1 1	100	\$33,294.00
5/20/2020 20-139 Renewal by Anderson	6275 Stephanie Way	02-23-0005	windows	1			31:	1 1	310	\$105,018.00
5/26/2020 20-140 NHH Inc.	4885 Co Rd 6	36-11-0008	Re-roof	1			10:	1 1	100	\$27,000.00
5/26/2020 20-141 Htg Cooling 2	2450 Providence Path	14-44-0006	AC Care Care		1		10:	1 1	100	\$4,670.00
5/27/2020 20-142 Hamel Bldg Center	4015 Windmill Dr.	01-43-0012	Door			1	10:	1 1	100	\$5,500.00
5/27/2020 20-143 Allied Constr.	3150 Brei Kessel	18-12-0003	Re-roof	1			10:	1 1	100	\$34,710.00
5/29/2020 20-144 Glenn Hartman	6765 Pagenkopf	22-12-0011	Re-roof	1			10:	1 1	100	\$5,000.00
6/2/2020 20-145 NMC Exteriors	5881 Pagenkopf	23-12-0014	Re-roof	1			10:	1 1	100	\$6,500.00
6/3/2020 20-146 Prostyle Carpentry	3162 Independence R	d 13-22-0004	Deck			10	555.9	5 10	545.96	\$19,675.00
6/4/2020 20-147 Atlantis Pools	6433 Franklin Hills	15-11-0004	Pool		1	24.5	1202.39	9 25.5	1176.89	\$49,000.00
6/8/2020 20-148 Ryan Sarkinen	2885 Lake Sarah Rd	16-13-0010	Septic				300	)	1 4 42	1397030
6/8/2020 20-149 All Star Construction	7314 Turner Rd	28-14-0003	Re-roof	1			10:	1 1	100	\$16,320.00
6/8/2020 20-150 NMC Exteriors	5881 Pagenkopf Rd	23-12-0014	Re-roof	1			10:	1 1	100	\$6,500.00
6/8/2020 20-151 Blake Podvin	6990 Pagenkopf Rd	15-31-0007	Shed			3.5	215.80	3.5	212.36	\$6,500.00
6/8/2020 20-152 Polar Builders	2919 Independence	15-14-0002	Re-roof	1			30:	1 1	300	\$17,000.00
6/8/2020 20-153 Dean's Tank	5398 Lake Sarah Hgts	01-23-0002	Fuel Tank	1			10:	1 1	100	\$2,950.00
6/8/2020 20-154 Windsong Farms	805 Copeland Rd	30-44-0003	Re-siding	1			110	) 1	109	\$14,000.00
6/9/2020 20-155 NMC Exteriors	1876 Nelson Rd	19-42-0002	Re-roof	1			10:	1 1	100	\$3,500.00
6/9/2020 20-156 Permformance Pool	1925 Highsted	20-31-0002	Pool		1	7.5	535.	5 8.5	527	\$15,000.00
6/9/2020 20-157 Jeremy Koch	2135 S. Lakeshore	24-13-0016	Trusses				507.38			\$18,000.00
, .										

6/15/2020 20-158 Joe Dzurik	5280 Lake Sarah Hgts	01-24-0006	Remodel		1		12.5		788.43	13.5	744.93	\$25,000.00	
6/15/2020 20-159 Sela Roofing	2215 Old Post Rd.	22-11-0007	Reroof	1					101	1	100	\$15,877.00	
6/16/2020 20-160 All Star Construction	2175 McDow	23-11-0004	Re-roof	1					101	1	100 -		
6/16/2020 20-161 Advantage Construct.	2100 Heritage	23-13-0010	Re-roof	1				1	101	1	100	\$30,800.00	
6/16/2020 20-162 Renewal By Anderson	2865 Becker Rd	14-24-0003	50 windows		1				601	1	600	\$154,791.00	
6/16/2020 20-163 Pro-Tech Exteriors	6410 Pagenkopf	24-44-0006	Re-roof	1					101	1	100	\$15,200.00	
6/16/2020 20-164 Lee Hackbarth	7045 Pagenkopf	15-32-0002	Re-roof	1					101	1	100	\$12,500.00	
6/16/2020 20-165 Hackbarth Construct.	6812 Pagenkopf	15-04-0002	Re-roof	1					101	1	100	\$14,500.00	
6/17/2020 20-166 Scott Ficek	7888 county Road 6	33-22-0028	Deck				5		313	5	308	\$10,000.00	
6/17/2020 20-167 Hayes & Sons	2625 Valley	16-41-0010	Septic						300			\$20,000.00	
6/17/2020 20-168 Paul Coleman	281 County Road 92	32-42-0022	Re-roof	1					101	1	100	\$10,000.00	
6/18/2020 20-169 Weld & Sons	2125 Heritage Trail	23-13-0008	Plmb & Mech		1	1			202	2	200	\$1,700.00	
6/18/2020 20-170 Dean Voss & Sons	5454 Pagenkopf	24-22-0005	Remodel				47		1777	47	1737	\$95,000.00	
6/22/2020 20-171 CDR Excavating	4955 Perkinsville	24-41-0008	Sewer					3860	1217			\$18,000.00	
6/22/2020 20-172 Dingman Construct.	6694 McKown	15-12-0008	SDR		1	1	250		6998	252	6746	\$500,000.00	
6/22/2020 20-173 Grandy Restoration	9270 Hwy 12	07-34-0002	Fire repair		1	1	40		1705	42	1663	\$81,500.00	
6/23/2020 20-174 Merritt Restoration	440 Kutz Dr.	33-24-0006	Re-roof/side	2					202	2	200	\$32,000.00	
6/23/2020 20-175 Patrick Lecy	9365 Kutz Crossing	31-21-0009	Pole bldg				8		483	8	375	\$17,500.00	
6/23/2020 20-176 Gonyea Homes	5873 Robert Rd	35-42-0004	SDR		1	1	502		11236	504	10,732	\$1,000,000.00	
6/23/2020 20-177 Josh Kiecker	6630 Franklin Hills	15-12-0004	Pool		1				955	1	954	\$35,000.00	
6/24/2020 20-178 Epple Exteriors	335 County Road 92	32-42-0045	Re-roof	1					101	1	100	\$10,000.00	
6/24/2020 20-179 Epple Exteriors	288 County Road 92	32-41-0018	Re-roof	1					101	1	100	\$10,000.00	
6/24/2020 20-180 Mpls Chimney Sweep	8670 Burr Oak Lane	08-23-0013	Chim. Repair				2.5		191	2.5	188.5	\$14,750.00	
6/25/2020 20-181 Renewal by Anderson	4724 S. Lake Sarah Dr	24-11-0003	Patio door	1					101	1	100	\$8,747.00	
6/30/2020 20-182 Doug Camp	4590 Woodhill Dr.	01-32-0015	Boathouse				7		434	7	421	\$15,000.00	
6/30/2020 20-183 George Ross	2376 Nelson Rd	19-12-0005	Re-roof-3	1					301	1	300	\$50,000.00	
6/29/2020 20-182, Denali Constr.	2880 Becker Rd	14-12-0005	Garage add.				30		1243	30	1213	\$60,000.00	
• • •													
6/30/2020 20-184 MN Restoration	2225 Old Post Rd	22-11-0006	Re-roof	1					101	1	100	\$10,000.00	
6/30/2020 20-184 MN Restoration 6/30/2020 20-185 new Town Exteriors	2225 Old Post Rd 6595 Franklin Hills	22-11-0006 15-12-0006	Re-roof Re-roof	1 1					101 101	1 1	100 100	\$10,000.00 \$9,276.00	

#### City of Independence

# Request for Rezoning and Minor Subdivision to Permit a Lot Split of the Property located at 6275 County Road 11

To: City Council

From: | Mark Kaltsas, City Planner

Meeting Date: July 7, 2020

Applicants: | Brett and Paige Broekema

Owners: Brett and Paige Broekema

Location: 6275 County Road 11

#### Request:

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

- a. Rezoning from AG-Agriculture to RR-Rural Residential; and
- b. A minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions.

#### Property/Site Information:

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

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

Zoning: Agriculture

Comprehensive Plan: Rural Residential

Acreage Before: 19.92 acres

Acreage After Parcel A: 9.96 acres Acreage After Parcel B: 9.96 acres

6275 County Road 11

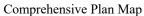


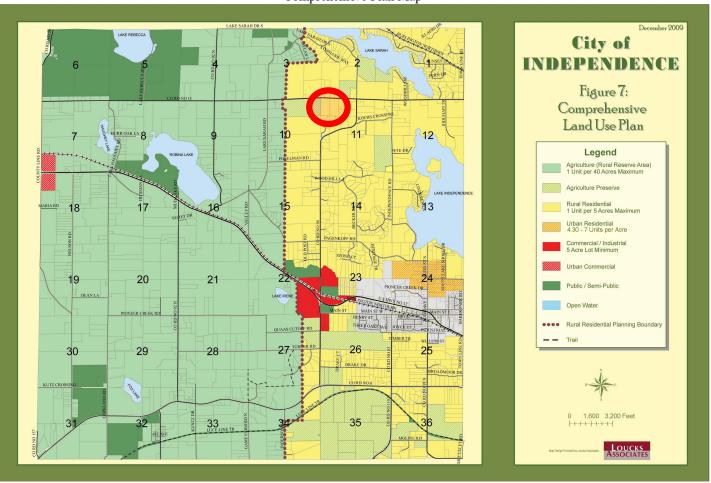
#### Discussion:

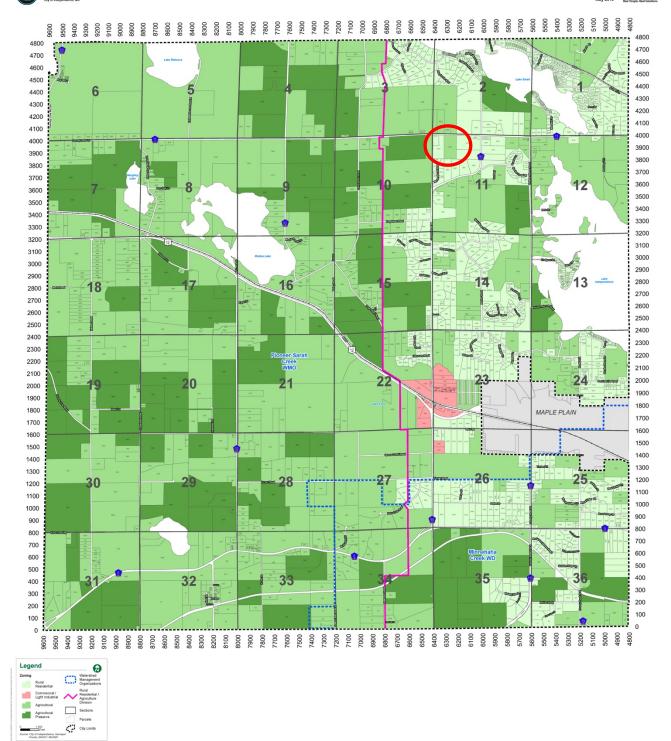
This property is zoned AG-Agriculture, but guided RR-Rural Residential by the City's 2030 Comprehensive Land Use Plan. The applicant is seeking rezoning of the property to Rural Residential which would then allow the subject property to be subdivided. The City allows the subdivision of property in the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

#### Rezoning

Rezoning this property is consistent with the City's 2030 Comprehensive Plan. Rezoning of this property is also consistent with the zoning of the property to the east, west and south (see Comprehensive Plan/Zoning map below).







#### Minor Subdivision

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

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

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

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

#### 530.03. Physical Standards.

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

(a)	Minimum lot area	<sup>a</sup> 2.50 acres buildable land
<i>(b)</i>	Maximum lot area	10 acres

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

<u>Lot area</u>	Minimum frontage
2.50 – 3.49 acres	<sup>b</sup> 200 feet
3.50 – 4.99 acres	<sup>b</sup> 250 feet

5.00 – 10.00 acres <sup>b</sup> 300 feet

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

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

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

The proposed subdivision would create one new lot. The applicant has essentially proposing to split the existing property down the middle. A wetland delineation has been completed and identifies the wetland edge and requisite buffer.

Access to both lots would be from CSAH 11. The existing house has a driveway that would remain in place and the County has reviewed and approved the proposed location (indicated on plans) for a new driveway to serve Parcel B. As historically has been done along County Road 11, Hennepin County is requesting an additional 17 feet of right of way for future trail and road expansion. This has been a consistent request for all subdivisions along CSAH 11.

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

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

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

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

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

The total park dedication fee collected will be \$7,070. The park dedication fees will need to be paid prior to the City recording the subdivision.

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

#### Other Considerations:

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

#### Summary:

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

development. The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance.

#### Planning Commission Discussion:

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

#### **Neighbor Comments:**

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

#### Recommendation:

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

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

- 4. The Applicant shall pay for all costs associated with the City's review of the rezoning and minor subdivision.
- 5. The Applicant shall execute all applicable documents to allow recording of the minor subdivision within six months from the date of the City Council approval.

#### Attachments:

- 1. Application
- 2. ORDINANCE No. 2020-02
- 3. RESOLUTION No. 20-0707-01
- 4. Proposed Minor Subdivision Survey (Before and After)

#### CITY OF INDEPENDENCE COUNTY OF HENNEPIN STATE OF MINNESOTA

#### ORDINANCE NO. 2020-02 AMENDING THE CITY OF INDEPENDENCE ZONING CODE, INCLUDING ZONING MAPS

#### THE CITY OF INDEPENDENCE DOES ORDAIN:

Section 1. The City of Independence Zoning Code be amended to rezone 19.92 acres of the property identified as PID No. 11-118-24-22-0002: from AG-Agriculture to RR-Rural Residential, illustrated in Exhibit A and legally described as follows:

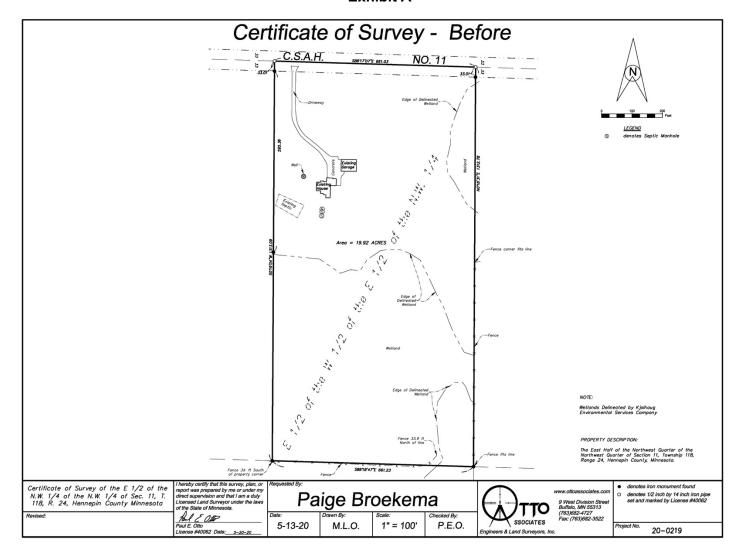
The East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota.

- Section 2. The City Administrator is hereby directed to amend the City of Independence Zoning Ordinance, including Zoning Maps, in accordance with the foregoing amendment.
- Section 3. Effective date. This ordinance shall be and is hereby declared to be in full force and effect after its passage and publication according to law.

Adopted by the Independence City Council this 7<sup>th</sup> day of July 2020.

	Marvin Johnson, Mayor
Attest:	
	_
Mark Kaltsas, City Administrator	

#### **Exhibit A**





#### **RESOLUTION NO. 20-0707-01**

# A RESOLUTION APPROVING A MINOR SUBDIVISION AS REQUESTED BY BRETT AND PAIGE BROEKEMA FOR THE PROPERTY LOCATED AT 6275 COUNTY ROAD 11

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

WHEREAS, the City adopted a Comprehensive Plan in 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, Brett and Paige Broekema (the "Applicant") have submitted a request for a minor subdivision to subdivide the property into two lots and located at 6275 County Road 11, Independence Minnesota and identified by PID No. 11-118-24-22-0002 (the "Property"); and

WHEREAS, the Property is zoned RR-Rural Residential; and

WHEREAS, the Property is legally described as:

The East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for lots in the Rural Residential Zoning District; and

WHEREAS the Planning Commission held a public hearing on June 16, 2020 to review the application for a minor subdivision, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Brett and Paige Broekema for a minor subdivision per the City's subdivision and zoning regulations with the following conditions:

- 1. The proposed Rezoning and Minor Subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning and Subdivision Ordinance.
- 2. City Council approval of the Minor Subdivision is subject to the following:
  - a. The Applicant shall address all comments and applicable requirements pertaining to the proposed subdivision.
  - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
  - c. The Applicant shall comply with all applicable Hennepin County transportation review comments and requirements. This includes the dedication of an additional 17 feet of right of way adjacent to the south line of CSAH 11 for future trail and road expansion.
  - d. The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
  - e. The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.
- 3. The Applicant shall pay the park dedication fees in the amount of \$7,070.
- 4. The Applicant shall pay for all costs associated with the City's review of the rezoning and minor subdivision.
- 5. The Applicant shall execute all applicable documents to allow recording of the minor subdivision within six months from the date of the City Council approval.

This resolution was adopted by to 7 <sup>th</sup> day of July 2020, by a vote ofayes	City Council of the City of Independence on this dnays.
ATTEST:	Marvin Johnson, Mayor
Mark Kaltsas, City Administrato	

#### **EXHIBIT A**

#### (Legal Description)

#### PROPOSED DRAINAGE AND UTILITY EASEMENTS

#### Parcel A:

A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the North 43.00 feet of the West Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota.

A perpetual easement for drainage and utility purposes over, under, and across the East and West 10.00 feet of the West Half of the East Half of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepir County, Minnesota, that lies North of Line A.

A perpetual easement for drainage and utility purposes over, under, and across that part of the West Half of the East Half of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesola, that lies South of Line A.

#### Line A is described as follows:

Line A is described as foliows:

Commencing at the Northwest corner of said West Half of the East Half of the Northwest Ouarter of the Northwest Ouarter of Section 11, Township 118, Range 28, Hennepin County, Minnesota; thence on an assumed bearing of South 00 degrees 19 minutes 04 seconds West, along the West line of said West Half of the East Half of the Northwest Ouarter of the Northwest Ouarter, a distance of 615.40 feet to the point of beginning of said Line A; thence South 84 degrees 31 minutes 10 seconds East, a distance of 68.51 feet; thence South 84 degrees 20 minutes 20 seconds East, a distance of 77.79 feet; thence South 55 degrees 33 minutes 23 seconds East, a distance of 77.79 feet; thence South 70 degrees 45 minutes 12 seconds East, a distance of 30.56 feet; thence South 82 degrees 39 minutes 15 seconds East, a distance of 37.74 feet; thence North 32 degrees 23 minutes 57 seconds East, a distance of 37.74 feet; thence North 48 degrees 36 minutes 57 seconds East, a distance of 49.43 feet; to the East line of said West Half of the East Half of the Northwest Quarter of the Northwest Quarter and said Line A there terminating.

A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the North 43.00 feet of the East Half of the East Half of the Eost Half of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesoto.

thence North 68 degrees 54 minutes 25 seconds West, a distance of 38.62 feet; thence North 88 degrees 07 minutes 23 seconds West, a distance of 41.33 feet; thence South 82 degrees 50 minutes 16 seconds West, a distance of 49.24 feet; to the West line of said East Holf of the East Holf of the Northwest Quarter of the Northwest Quarter and said line there terminating.

#### Line C is described as follows:

Line C is described as follows:

Commencing at the Northeast corner of said East Half of the East Half of the Northwest Ouarter of the Northwest Ouarter; thence on an assumed bearing of South 00 degrees 18 minutes 31 seconds West, along the East line of said East Half of the East Half of the Northwest Ouarter, a distance of 33.01 feet to the point of beginning of said Line C; thence South 56 degrees 07 minutes 39 seconds West, a distance of 51.50 feet; thence South 26 degrees 35 minutes 58 seconds West, a distance of 59.11 feet; thence South 17 degrees 07 minutes 17 seconds West, a distance of 50.93 feet; thence South 17 degrees 26 minutes 59 seconds Sest, a distance of 40.97 feet; thence South 10 degrees 26 minutes 39 seconds Sest, a distance of 40.97 feet; thence South 12 degrees 57 minutes 93 seconds Sest, a distance of 40.97 feet; thence South 40 degrees 53 minutes 93 seconds Sest, a distance of 48.05 feet; thence South 35 degrees 57 minutes 09 seconds East, a distance of 48.46 feet; thence South 36 degrees 16 minutes 19 seconds East, a distance of 84.44 feet; thence South 51 degrees 04 minutes 38 seconds Sest, a distance of 84.44 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.44 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.44 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 84.47 feet; thence South 51 degrees 04 mi

#### Line D is described as follows:

Line D is described as follows:

Commencing at the Southeast corner of soid East Half of the East Half of the Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of North 00 degrees 18 minutes 31 seconds East, along the East line of soid East Half of the East Half of the Northwest Quarter, of distance of 182.54 feet to the point of beginning of soid Line D; thence North 47 degrees 31 minutes 49 seconds West, a distance of 36.34 feet; thence North 22 degrees 04 minutes 51 seconds West, a distance of 53.81 feet; thence South 49 degrees 56 minutes 06 seconds West, a distance of 10.10 feet; thence South 49 degrees 42 minutes 32 seconds West, a distance of 30.14 feet; thence South 31 degrees 42 minutes 32 seconds West, a distance of 50.82 feet; thence South 03 degrees 42 minutes 30 seconds East, a distance of 50.82 feet; thence South 19 degrees 36 minutes 03 seconds East, a distance of 90.45 feet; thence South lipe degrees 09 minutes 31 seconds East, a distance of 66.45 feet; to the South line of soid East Half of the East Half of the Northwest Quarter of the Northwest Quarter and soid line there terminating.

A perpetual easement for drainage and utility purposes over, under, and across the West 10.00 feet of the East Half of the East Holf of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies North of Line B.

A perpetual easement for drainage and utility purposes over, under, and across the East 10.00 feet of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies South of Line C, North of Line B, and South of Line D.

A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section II. Township 118, Range 24, Hennepin County, Minnesota, that lies Easterly of Line D.

A perpetual easement for drainage and utility purposes over, under, and across that part of the East Half of the East Half of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies Easterly of Line C.

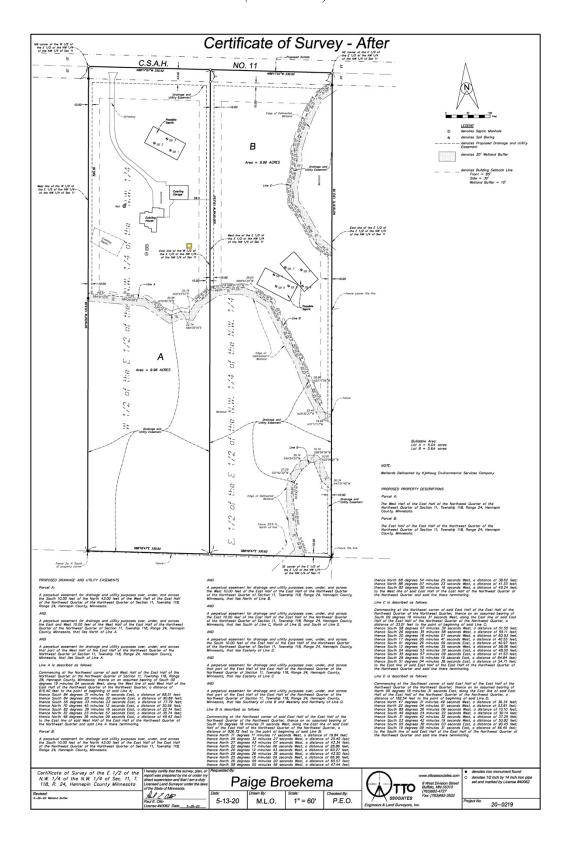
A perpetual easement for drainage and utility purposes over, under, and across that part of the East Half of the East Half of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies Southerly of Line B and Westerly and Northerly of Line D.

#### Line B is described as follows:

Commencing at the Northeast corner of said East Half of the East Half of the Northwest Ouarter of the Northwest Ouarter; thence on an assumed bearing of South 00 degrees 18 minutes 31 seconds West, along the East line of said East Half of the East Half of the Northwest Ouarter of the Northwest Ouarter of said Line 8; thence North 71 degrees 11 minutes 17 seconds West, a distance of 19.84 feet; thence North 29 degrees 32 minutes 27 seconds West, a distance of 25.45 feet; thence North 27 degrees 43 minutes 07 seconds West, a distance of 25.48 feet; thence North 20 degrees 12 minutes 06 seconds West, a distance of 28.86 feet; thence North 20 degrees 12 minutes 36 seconds West, a distance of 20.27 feet; thence North 20 degrees 26 minutes 36 seconds West, a distance of 64.35 feet; thence North 25 degrees 38 minutes 30 seconds West, a distance of 65.57 feet; thence North 26 degrees 90 minutes 20 seconds West, a distance of 65.57 feet; thence North 58 degrees 05 minutes 56 seconds West, a distance of 47.44 feet; thence North 58 degrees 05 minutes 56 seconds West, a distance of 47.44 feet;

#### **EXHIBIT B**

(Subdivision)



City	of	Indepe.	ndence
	.,		

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	Request: Lot Subdivision
☐ Comprehensive Plan Amendment	Rezone to rural residentia
☐ Concept Plan	
Conditional Use Permit  Residential Commercial/Light Industrial Telecommunications Agriculture Home Occupation Non-Conforming Use Guest/Bunk House Institutional CUP Amendment	
Extension Request	Site Address or Property Identification Number(s):
☐ Final Plat	6215 CO. Rd 11
☐ Interim Use Permit	
☐ Lot Consolidation	NOTE: Minnesota State Statute 15.99 requires local
Minor Subdivision (Survey)  Lot Subdivision  Lot Combination  Lot Line Rearrangement	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
☐ Moving Buildings	Planner/Administrator at least one week prior to submittal.  Most applications have a review period of 60 days, with the
☐ Preliminary Plat	City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.
☑ Rezoning	
☐ Site Plan Review (Commercial)	Office Use Only Date
□ Vacation	1250
☐ Variance Subdivision Regulations Zoning	Application Amount Application Check #
Road Frontage	Escrow Paid Escrow Check #
☐ Zoning Text Amendment	Date Accepted by Planner Accepted By
*Please check all that apply	City Planner

\*\*\*Note: All parties with a fee interest in the real estate must sign this application before the City will review for consideration! **Applicant Information:** Owner Information (if different than applicant) Name: brett Haige brockeng Address: 6275Co.Rd City, State, Zip: andersonce, Mn 55359 City, State, Zip: Phone: 612.791-890) Signature: \_\_\_\_\_ Signature: **Checklist:** Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City. Review Deadline and Timeline: All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council. Application for Planning Consideration Fee Statement The City of Independence has set forth a fee schedule for the year 2014 by City Ordinance. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility. I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION: Applicant Signature: 1010 BY CLE Date: 5-11-20

Owner Signature (if different):

Date: \_\_\_\_\_

Mark Kaltsas

City of Independence

Re: Lot split for 6275 County Road 11

Mark,

I'm dropping off our application for the lot split of our property, to get it in by the Application Date of May 12th. I have put in the Old property lot split information from 1996 with the Paulsons.

- 1. The property has had the wetland delineation completed.
- 2. The county will be out 5/11 for the Driveway Access, which he was out last week and did the wrong property.
- 3. Otto Surveying will be out early this week, for survey and soil testing.

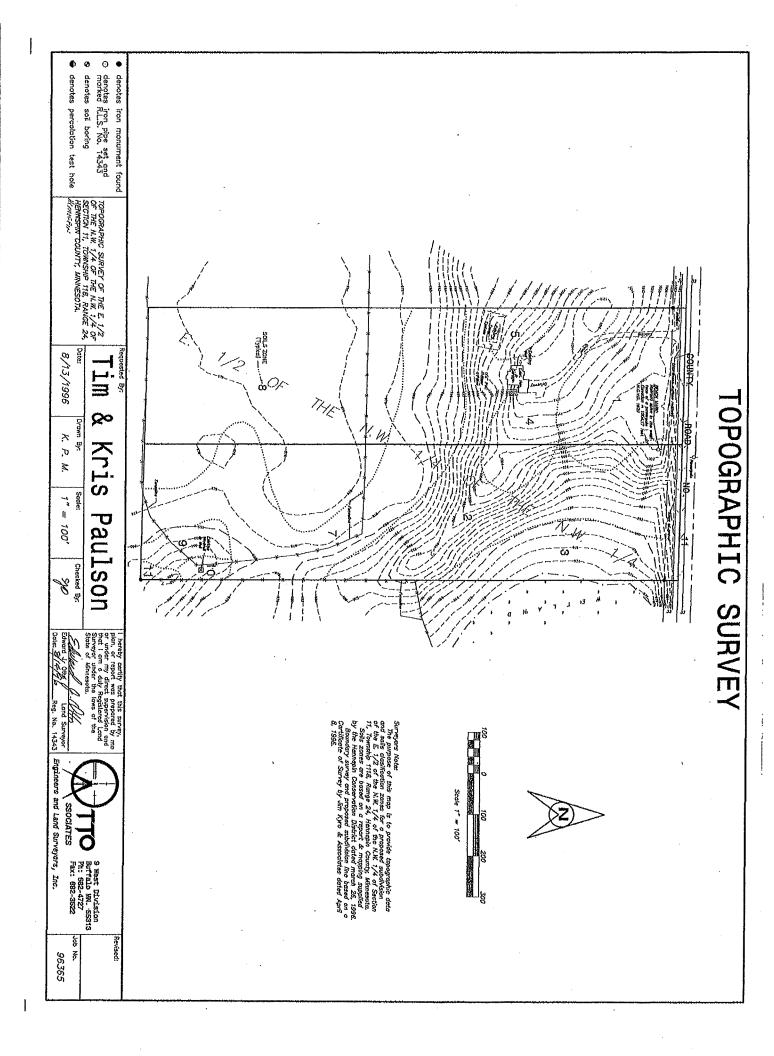
I'm pretty sure I can get you all the new updated information by the end of the week or early the following week. We just want to get this in by the application Date to get things started.

We'd really like to get this submitted as soon as possible as we have buyers for the house on 10 Acres and this whole Covid thing has made everything go slower than expected.

If you have questions please give me a call

Thank you

Paige & Brett Broekema



#### PROPOSED PROPERTY DIVISION FOR:

Jim Kyro & Associates, Unc. PROFESSIONAL LAND SOME FROMS AMBLANCE FOR LOPING PLANTS

(612) 421-9126

13621 VINEWOOD LANE DAYTON, MN 55327

DESCRIPTION:
THE EAST HALF OF THE NORTHWEST GUARTER OF THE
NORTHWEST QUARTER, SECTION 11, TOWNSHIP 118,
RANGE 24, HENNEPIN COUNTY, MINNESOTA.

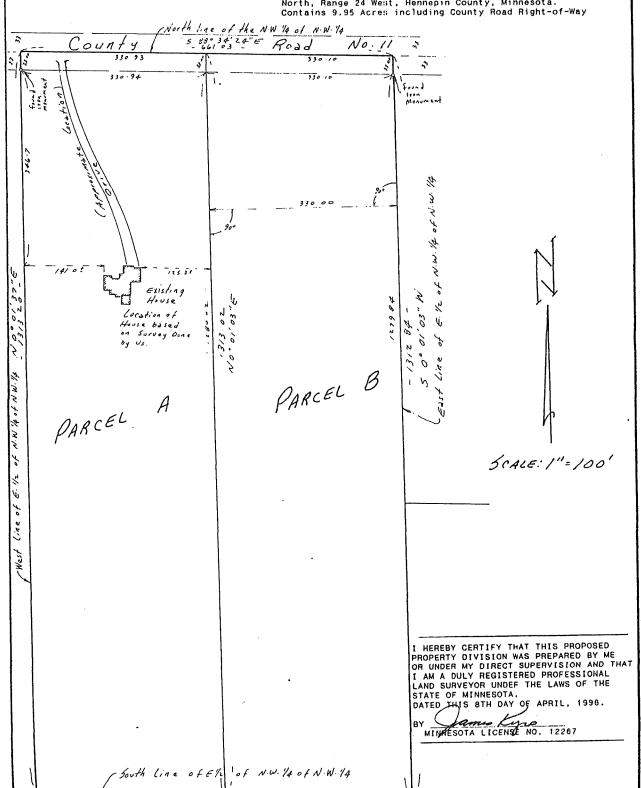
O DENOTES FOUND IRON MONUMENTS

DESCRIPTION FOR PARCEL A
That part of the East half of the Northwest Quarter of the
Northwest Quarter, Section 11, Township 118 North, Range 24
West, Hennepin County, Minnesota, which lies West of the East 330.00 feet thereof.

Contains 9.97 Acres including County Road Right-of-way

DESCRIPTION FOR PARCEL B

The East 330.00 feet of the East half of the Northwest Quarter of the Northwest Quarter Section 11, Township 118 North, Range 24 West, Hennepin County, Minnesota. Contains 9.95 Acres including County Road Right-of-Way



From: Brant D Kough Brant.Kough@hennepin.us

Subject: Hennepin County Permit Date: May 11, 2020 at 9:21:30 AM

To: Paige Broekema bpbroekema@aol.com

#### Paige

Here is your approved permit. Please let me know if you have any questions.

#### **Brant Kough**

Principal Engineering Technician
Permits Office Transportation Operations

Office: 612-596-0339 | Mobile: 612-235-1223 | brant.kough@hennepin.us | hennepin.us

Medina Public Works 1600 Prairie Drive Medina, Mn 55340



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Hennepin...ermits.pdf 150 KB

#### Access/Entrance Private / Residential Permit# 2020-A205, UID# 67661

Hennepin County Public Works Transportation Department (Roads and Bridges) - Operations 1600 Prairie Drive Medina, MN 55340-5421

Entrance						
Entrance Type:		Installation - Res				
Surface Type:		Gravel				
When is the entrance needed by:		05/15/2020				
_ocation						
Direction from road:	S					
county road #:	11					
Mapped Location:						
		사용 등에 가장 보는 것이 되는 것이 되었다. 그는 것은 사용 등을 보고 있는 것이 되었다. 그는 것은 것이 되었다. 그는 것이 되었다. 그는 것은 것이 되었다. 그는 것이 없다. 기계 등에 가장 하는 것이 되었다. 그는 것이 없는 것이 되었다. 그는 것이 되었다. 그는 것이 되었다.				
Address or PID:	6275 Co	. Rd. 11				
City:	Maple P	lain				
Is the property platted:	Yes					
Type of building being constructed:	Residen	tial				
Width of driveway:	12 feet C	) inches				
Present number of driveways:	0					
Property						
Year of platted addition/su	ıbdivision:	1996				
Township:		118				
Range:		24				
Section:		11				
Has a building permit been		No				

# Applicant: Applicant: Paige Broekema Phone: (612 ) 791 - 8900 Email: bpbroekema@aol.com Address: 6275 Co.Rd. 11 Maple Plain Mn 55359

Property Owner:

Name:
Paige & Brett Broekema
Phone:

(612 ) 791 - 8900

Address:

6275 Co. Rd. 11

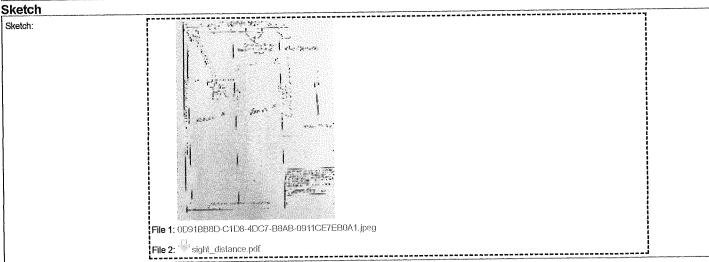
Maple Plain Mn 55359

Contractor:

Name:
Paige Lee Broekema
Phone:
(612 ) 791 - 8900

Address:
6275 Co. Rd. 11

Maple Plain Mn 55359



Work Description:

Work Description:

Lot split/division
Permit for future owner of property

Terms

#### General

- 1. No work shall be started until the application is approved and the permit issued.
- 2 Contact the Hennepin County Permit Office at 612-596-0339 a minimum of 2 business days prior to starting construction.
- 3. After driveway construction is completed, persons requesting the installation must notify the Permits Office that such work has been completed and is ready for final inspection and acceptance by Hennepin County.
- 4. No changes or alterations in entrances may be made at any time without written permission from the County Engineer or designee.
- 5. Approval of this permit does not deny the County Engineer the future right to revise, relocate or close any entrance to expedite the movements of vehicular or pedestrian traffic. The County retains the right to close said entrance(s) at its discretion, based upon the necessity for traffic regulation, control and safety.
- 6. Existing driveways are not automatically perpetuated. In the event of a change in land use or a major change in the traffic pattern of the existing facility, new driveway applications may be required by the County.
- 7. Inclement weather shall be reason for delay of the project start or suspension of the project as determined by Hennepin County.
- 8. Permits or copies shall be kept on the work site, while work is in progress, in the custody of the individual in charge, and shall be exhibited upon request by any county official.
- 9. These general permit requirements and specifications shall be considered as forming an integral part of each and every permit issued for operations on county roadways. The work authorized by this permit shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the County of Hennepin as herein specified. If at any time Hennepin County determines that the work is not being, or has not been, properly performed, the Permittee, upon being notified, shall immediately take the necessary steps, at their own expense, to place the work in conformance to said requirements or standards. In addition, no residential driveway may exceed 22 feet in width and no commercial driveway shall exceed the width dictated by the Hennepin County Access Management Guidelines.
- 10. In the event of failure or neglect, will or not, by said Permittee or Permittee's employees, to perform and comply with the prescribed conditions, restrictions and regulations, the Transportation Department may revoke and annul this permit and order said Permittee to immediately remove any and all structures or property belonging to said Permittee from the legal limits of the roadway or county property.
- 11. The installation shall be made in conformity with all applicable laws, regulations and codes covering said installations. All installations shall be made inconformity with regulations of governmental agencies for the protection of the public.
- 12. Americans with Disabilities Act Any work in the County's rights-of-way that impacts any pedestrian facilities requires that the restoration of the pedestrian facilities impacted be restored to conform to current ADA requirements and standards.
- 13. If pavement, roadway or right-of way is damaged; same shall be restored, in a timely manner to its original or a better condition, at the sole expense of the Permittee. Permittee's failure to correct such damage in a timely manner will result in Hennepin County, through its own forces or contractors, making said repairs and billing Permittee for all costs and expenses related thereto. Permittee shall make payment to Hennepin County within fifteen (15) days of receipt of said bill. Permittee agrees that if it fails to make payment of said amounts within the specific time, to Hennepin County, it shall pay all costs relating to debt collection, including, but not limited to, court costs, fees, interest and attorney's fees.
- 14. It shall be further understood that the Permittee will be responsible for maintenance or repair of any and all failures due to settlement, erosion, lack of vegetation growth, rutting or other job related problems for a period of three (3) years after project completion and Notice of Work Completion form has been received by Hennepin County. Permittee shall perform all said maintenance. Immediately after it has been notified of said deficiency. Permittee shall be responsible for all costs and expenses related to said maintenance. Permittee's failure to perform said maintenance immediately will result in Hennepin County, through its own forces or its contractors, performing said maintenance and billing Permittee for all costs and expenses related thereto. Permittee shall make payment to Hennepin County within fifteen (15) days of receipt of said bill. Permittee agrees, that if it fails to make payment of said amounts within the specified time, to Hennepin County, Permittee shall pay all costs related to debt collections, including, but not limited to, court costs, fees, interest and attorneys' fees.
- 15. Emergency Vehicle Accesses must be signed and closed to general traffic at all times. Continued unauthorized use of an Emergency Vehicle Access shall result in the removal of the access at the discretion of Hennepin County at the owner's expense.
- 16. Any striping done on a County Road must be ground-in and approved by Hennepin County before being placed.
- 17. If a new turn lane is added to existing county road, the permittee will be responsible for any and all permanent signs in accordance to the most recent MN MUTCD.
- 18. Permits will not be allowed to be carried over from year to year. If work is not finished in the year the permit has been taken out, a new permit will be required for the new year.

#### **Sediment Control & Drainage**

- 1. Street surface and roadside shall be kept clean, neat and presentable throughout construction as determined by the Hennepin County Transportation Department.
- 2 Dust control shall be provided upon request of the Hennepin County Transportation Department.
- 3. The existing drainage patterns shall not be altered unless approved by Hennepin County Watershed District approval and drainage calculations are required if plan alters existing drainage patterns.
- 4. Permanent restoration plans must be submitted to the Permits Office for temporary restoration/winter stabilization for work occurring between November 1st and April 30th prior to starting construction.
- 5. Illicit Discharge: permittee shall not discharge any liquid or materials into Hennepin County right-of-way other than adequately treated stormwater or allowable uncontaminated waters as defined by MPCA in part 1A of the MS4 general permit. Any illicit discharge must be reported immediately to permits office staff, properly contained and remediated.

#### Site Plans - Private / Residential

Applications for entrances serving private residences, farms or parking lots of less than five vehicle parking spaces need not submit a site plan, but shall make an appropriate sketch in the space provided on the from of this form. Such sketch shall generally locate the entrance, indicate its dimensions and location relative to right of way.

#### **Traffic Control**

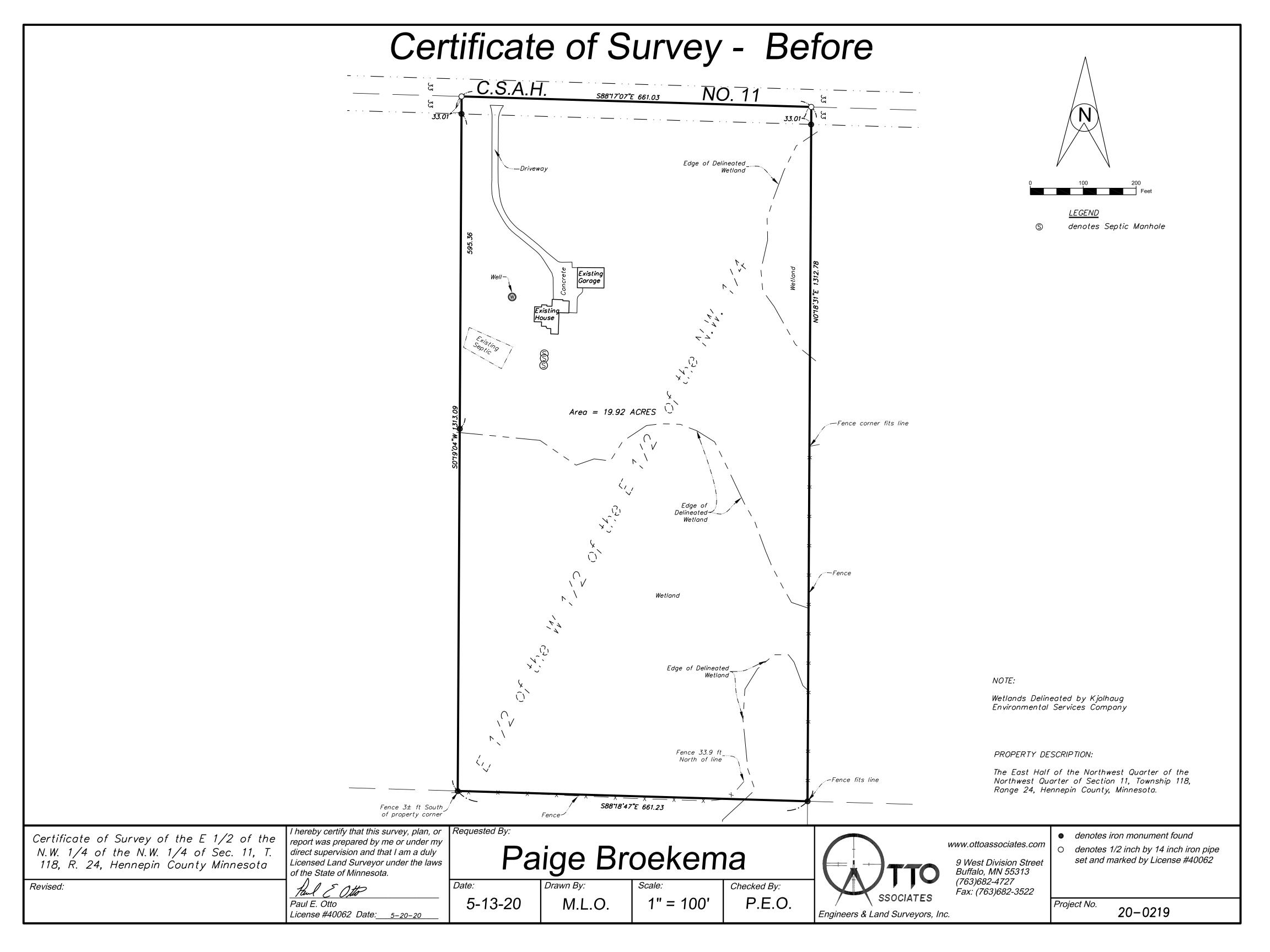
- 1. If the installation of this driveway makes it necessary to work on the roadway, traffic must be protected; proper temporary traffic control including lights, signs and proper barricades must be in place. Temporary traffic control must conform to the current version of the Minnesota Manual of Uniform Traffic Control and/or accompanying Field Manual. Said devices shall be removed from the job site promptly upon completion of work.
- 2 Safety vests shall be worn by ANYONE occupying County right-of-way.
- 3. The Permittee shall use due diligence in the execution of the work authorized under this permit in order not to endanger or unnecessarily obstruct travel along the said highway.
  Operations shall be so conducted at all times as to permit safe and reasonably free travel over the roads within the limits of the work herein prescribed. All safety measures for the free movement of traffic shall be provided by the Permittee at its own cost.

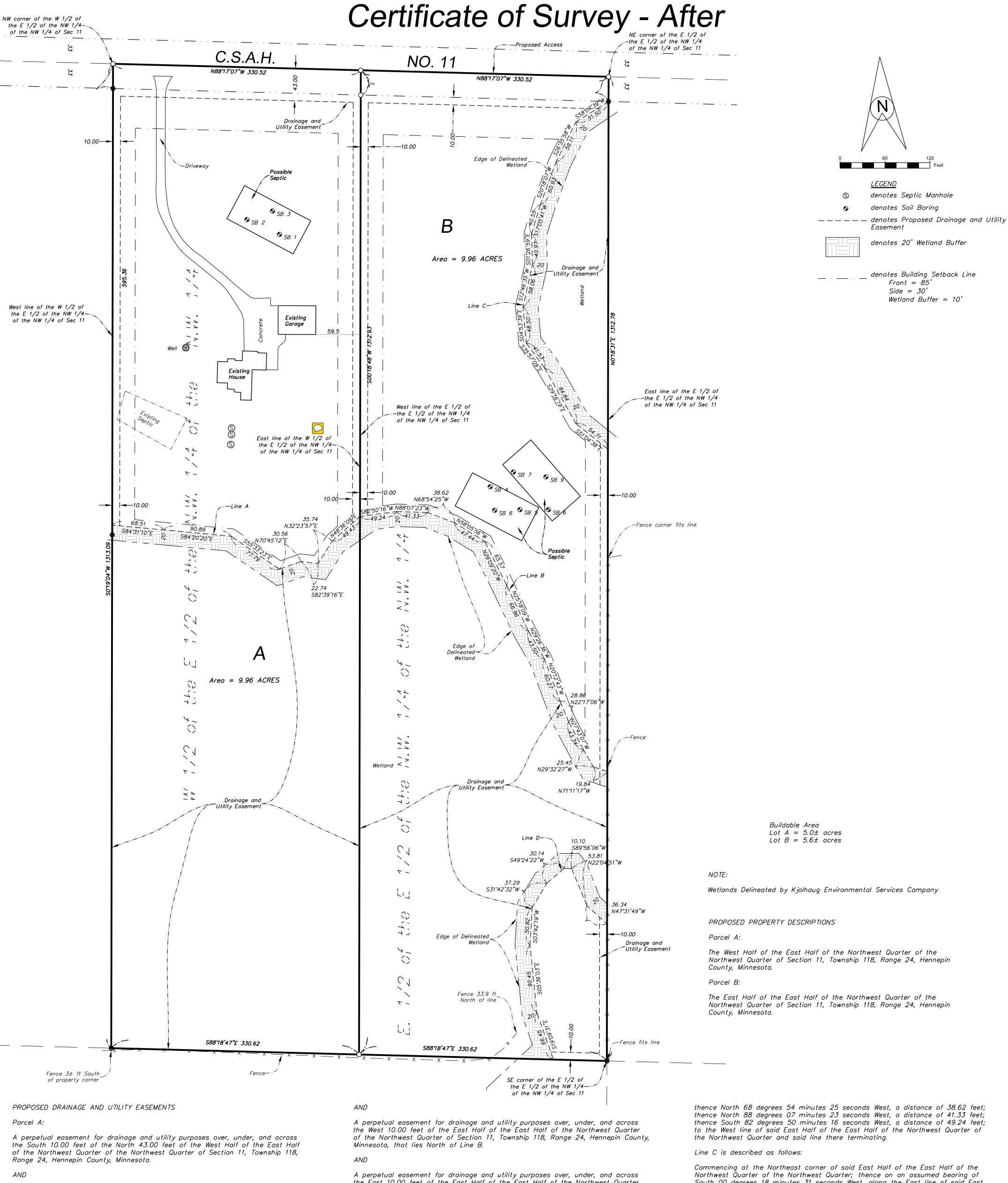
Invoice #36840 (04/14/2020)

Charge	Cost	Quantity	Total
Residential Driveway added 04/14/2020 1:25 PM Driveway to serve a private residence	\$125.00	х1	\$125.00
Grand Total			A405.00
		Total	\$125.00
		Payment 04/14/2020	\$125.00
		Due	\$0.00

#### **Approvals**

Approval	Signature
Applicant	Paige L. Broekema - 04/14/2020 1:35 PM 6cc81783193b6d7175d75193d2adc146 c638d2e7cf8e2911b8baa92ba8b24db0
#1 Permits Supervisor	Michael D. Olmstead - 05/05/2020 12:59 PM 565e1ef76a4b6e6279191078d8976e7e 773530444d869a13e854f2114e6f5759





A perpetual easement for drainage and utility purposes over, under, and across

the East and West 10.00 feet of the West Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies North of Line A.

A perpetual easement for drainage and utility purposes over, under, and across that part of the West Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County,

Minnesota, that lies South of Line A. Line A is described as follows:

Commencing at the Northwest corner of said West Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 28, Hennepin County, Minnesota; thence on an assumed bearing of South 00 degrees 19 minutes 04 seconds West, along the West line of said West Half of the East Half of the Northwest Quarter of the Northwest Quarter, a distance of

615.40 feet to the point of beginning of said Line A; thence South 84 degrees 31 minutes 10 seconds East, a distance of 68.51 feet; thence South 84 degrees 20 minutes 20 seconds East, a distance of 90.89 feet; thence South 55 degrees 33 minutes 23 seconds East, a distance of 77.79 feet; thence North 70 degrees 45 minutes 12 seconds East, a distance of 30.56 feet; thence South 82 degrees 39 minutes 16 seconds East, a distance of 22.74 feet; thence North 32 degrees 23 minutes 57 seconds East, a distance of 35.74 feet; thence North 48 degrees 36 minutes 09 seconds East, a distance of 49.43 feet; to the East line of said West Half of the East Half of the Northwest Quarter of the Northwest Quarter and said Line A there terminating.

## Parcel B:

Revised:

5-26-20 Wetland Buffer

A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the North 43.00 feet of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota.

the East 10.00 feet of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies South of Line C, North of Line B, and South of Line D.

A perpetual easement for drainage and utility purposes over, under, and across the South 10.00 feet of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies Easterly of Line D.

AND

A perpetual easement for drainage and utility purposes over, under, and across that part of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies Easterly of Line C.

A perpetual easement for drainage and utility purposes over, under, and across that part of the East Half of the East Half of the Northwest Quarter of the Northwest Quarter of Section 11, Township 118, Range 24, Hennepin County, Minnesota, that lies Southerly of Line B and Westerly and Northerly of Line D.

Line B is described as follows:

5-13-20

Commencing at the Northeast corner of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of South 00 degrees 18 minutes 31 seconds West, along the East line of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter, a distance of 926.72 feet to the point of beginning of said Line B; thence North 71 degrees 11 minutes 17 seconds West, a distance of 19.84 feet; thence North 29 degrees 32 minutes 27 seconds West, a distance of 25.45 feet;

thence North 27 degrees 43 minutes 07 seconds West, a distance of 43.34 feet; thence North 22 degrees 17 minutes 06 seconds West, a distance of 28.86 feet; thence North 20 degrees 12 minutes 43 seconds West, a distance of 60.27 feet; thence North 29 degrees 26 minutes 36 seconds West, a distance of 43.50 feet; thence North 25 degrees 18 minutes 09 seconds West, a distance of 66.96 feet; thence North 26 degrees 09 minutes 20 seconds West, a distance of 65.57 feet; thence North 58 degrees 05 minutes 56 seconds West, a distance of 47.44 feet;

South 00 degrees 18 minutes 31 seconds West, along the East line of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter, a distance of 33.01 feet to the point of beginning of said Line C;

thence South 58 degrees 07 minutes 39 seconds West, a distance of 51.50 feet; thence South 26 degrees 35 minutes 58 seconds West, a distance of 59.11 feet; thence South 20 degrees 18 minutes 07 seconds West, a distance of 60.93 feet; thence South 17 degrees 05 minutes 41 seconds West, a distance of 40.55 feet; thence South 01 degrees 26 minutes 59 seconds East, a distance of 40.97 feet; thence South 12 degrees 46 minutes 35 seconds West, a distance of 58.06 feet; thence South 04 degrees 53 minutes 39 seconds East, a distance of 48.50 feet; thence South 35 degrees 57 minutes 09 seconds East, a distance of 41.53 feet; thence South 29 degrees 16 minutes 19 seconds East, a distance of 84.84 feet; thence South 51 degrees 04 minutes 38 seconds East, a distance of 54.71 feet; to the East line of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter and said line there terminating.

## Line D is described as follows:

Commencing at the Southeast corner of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter; thence on an assumed bearing of North 00 degrees 18 minutes 31 seconds East, along the East line of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter, a distance of 182.54 feet to the point of beginning of said Line D;

thence North 47 degrees 31 minutes 49 seconds West, a distance of 36.34 feet; thence North 22 degrees 04 minutes 51 seconds West, a distance of 53.81 feet; thence South 89 degrees 56 minutes 06 seconds West, a distance of 10.10 feet; thence South 49 degrees 24 minutes 22 seconds West, a distance of 30.14 feet; thence South 31 degrees 42 minutes 32 seconds West, a distance of 37.29 feet; thence South 03 degrees 42 minutes 19 seconds West, a distance of 50.82 feet; thence South 05 degrees 36 minutes 03 seconds East, a distance of 90.45 feet; thence South 19 degrees 09 minutes 31 seconds East, a distance of 66.45 feet; to the South line of said East Half of the East Half of the Northwest Quarter of the Northwest Quarter and said line there terminating.

Certificate of Survey of the E 1/2 of the N.W. 1/4 of the N.W. 1/4 of Sec. 11, T. 118, R. 24, Hennepin County Minnesota

I hereby certify that this survey, plan, or Requested By: report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota. Date:

License #40062 Date: 5-26-20

# Paige Broekema

Drawn By: Scale: Checked By: P.E.O. 1" = 60'M.L.O.



 denotes iron monument found www.ottoassociates.com O denotes 1/2 inch by 14 inch iron pipe set and marked by License #40062 9 West Division Street Buffalo, MN 55313

> Project No. 20-0219