



PLANNING COMMISSION MEETING AGENDA  
TUESDAY JUNE 24, 2025

**7:30 PM REGULAR MEETING**

1. **Call to Order**

Pursuant to due call and notice thereof, a work session of the Independence Planning Commission was called to order by Chair Thompson at 7:30 p.m.

2. **Roll Call**

PRESENT: Gardner, Thompson, Tearse, Dumas, Alternates Story & Usset  
ABSENT: Volkenant and Thompson  
STAFF: City Administrator Kaltsas, Administrative Services Director Simon  
VISITORS: See Sign in

3. **Approval of Minutes:**

- a. May 20, 2025, Planning Commission Meeting Minutes.
- b. June 3, 2025, City Council Meeting Minutes (For Information Only).

**Motion by Story, seconded by Tearse to approve the minutes. Ayes: Gardner, Dumas, Tearse, Story and Usset. Nays: None. Absent: Volkenant & Thompson. Abstain: None. Motion Approved. 5-0**

4. **PUBLIC HEARING** – Arman Taghizadeh (Applicant) and Mark Moorhouse (Owner) are requesting the following actions for the property located at 7949 County Road 11 (PID No. 09-118-24-22-0004) in the City of Independence, MN.

- a. A conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF.
- b. A variance to allow the ground mounted solar system to be located less than 100' from the side property line. The applicant owns both of the properties on either side of the property line.

***Discussion:***

Chair Gardner introduced the agenda item for a conditional use permit for a larger above-ground mounted solar system at 7949 County Road 11.

Mark from city staff presented the details of the application. He explained that the request was for a conditional use permit and variance to construct a ground-mounted solar system on the properties located at 7949 County Road 11 and 7855 County Road 11. The applicant and owner requested consideration for a ground-mounted solar system greater than 500 square feet, as well as a variance to allow the system to be located less than 100 feet from the side property line. Mark noted that the applicant owns both properties.

Mark described the location of the property on the south side of County Road 11, just west of the intersection with County Road 92. He stated there is an existing home and several detached accessory structures on the 40-acre property, which is zoned agriculture.

The city had provided the applicant with requirements and discussed the process for considering ground-mounted solar systems exceeding 500 square feet. Mark outlined the criteria in the ordinance for permitting systems over 500 square feet, including a maximum of 2,500 square feet, location on a property 5 acres or larger, and setbacks of 100 feet from property lines and 500 feet from residential structures.

Mark presented site plans showing the proposed location of four ground-mounted tracking solar arrays on the vacant piece of property just east of the property line separating the two parcels. The total square footage would be 2,244 square feet. He noted the applicant owns approximately 375 mostly contiguous acres in the area.

Due to the proposed location, the applicant was requesting a variance to place the arrays about 15-20 feet from the property line separating their two properties, rather than the required 100-foot setback. All other setbacks would be met. Mark showed the 500-foot radius from the arrays and noted the closest residential structures were over 500 feet away across County Road 11.

The maximum height of the solar arrays when angled at 28 degrees would be 15 feet. Mark said he had discussed with the applicant that the tracking system would be designed to not exceed the 28-degree angle.

Regarding screening, Mark explained the applicant is proposing to install berms - one 4-5 foot tall berm along County Road 11 that has already been installed, and a second 10-foot tall berm directly north of the proposed arrays. He showed grading plans depicting the berms.

Mark noted the total system size was 120 kWAC, which he described as very significant. The applicant intends to use it to serve their numerous buildings and properties in the location, aiming for energy neutrality.

Mark presented renderings provided by the applicant showing views of the proposed installation from various vantage points. He noted some discrepancies between the renderings and the actual plans regarding the second berm.

Chair Gardner opened the public hearing.

Cece Hardigan, the engineer who designed the system, provided clarifications. She explained the DC system size of 56.45 kilowatts relates to the number of panels, while the 120 kW AC size refers to the inverters needed to match the service entrance and allow for battery backup. She confirmed the system would never output more than 56.45 kilowatts.

Hardigan also addressed the tracker height, stating it was custom designed with a shorter column and factory programmed to a maximum 28-degree tilt to stay under 15 feet. She offered to provide written confirmation of this from the manufacturer.

Regarding the array spacing, Hardigan explained the 38-foot separation was the manufacturer's recommended clearance for preventing inter-tracker shading and allowing machinery access.

Arman, the project manager, confirmed the second berm was in the process of being built and offered to provide drone photos as evidence.

Commissioner Tearse motioned to close the public hearing, seconded by Dumas.

Public Hearing Closed.

The commission discussed concerns about granting a variance when the applicant could replat the properties. They also questioned the need for such wide spacing between arrays.

Mark suggested they could recommend the applicant complete the replatting process rather than granting a variance. He noted combining contiguous properties does afford some additional rights compared to a single property.

The commission ultimately decided to recommend approval with several conditions:

**Motion made by Usset, seconded by Tearse to recommend approval of the request for 7949 County Road 11 for a conditional use permit to allow a ground mounted solar system which is greater than 500 square feet, subject to staff recommendations 1 through 3 with the additional recommendations:**

- 1. Confirmation on the grading plan of the second berm in question**
- 2. Recommending the applicant formally replat to avoid needing a variance**
- 3. Proper documentation of the 28 degree tilt limit and 15 foot height maximum**
- 4. Confirmation of the horizontal tilt range to ensure neighboring properties will not be impacted**

**Ayes: Gardner, Dumas, Tearse, Story and Usset. Nays: None. Absent: Volkenant & Thompson. Abstain: None. Motion Approved. The motion passed unanimously. 5-0**

Mark noted this would go to the City Council for consideration at their July 15th meeting.

5. **PUBLIC HEARING** – Chloe Kirks (Applicant) and Andrew Fairbairn (Owner) are requesting the following actions for the property located at 7975 County Road 6 (PID No. 33-118-24-23-0001) in the City of Independence, MN.
- a. A conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF.

Mark presented the details for a conditional use permit request for a ground-mounted solar system at 7975 County Road 6. He explained the 7.73-acre property is zoned agriculture and located at the southeast corner of County Road 92 and County Road 6.

The applicant proposed a fixed ground-mounted array south and slightly west of the existing house. Mark provided setback details, noting all setbacks would comply with the 100-foot requirement. The array would be over 500 feet from the nearest residential structures.

The system would consist of 44 panels installed at a 35-degree angle with a maximum height of 12 feet. It would have a capacity of 16.89 kW AC / 17.8 kW DC. The total area would be 944 square feet, which exceeds the 500 square foot threshold but is well under the 2,500 square foot maximum.

Mark noted existing vegetation that would help screen the array from neighboring properties and roads. He estimated it may be partially visible from County Road 6 in winter, but would not be highly visible overall due to the 450-foot setback and southward orientation.

Chair Gardner opened the public hearing.

Cody from the solar company noted they believe the applicant obtained signatures from neighboring property owners on the plans, but would follow up to ensure those were submitted to the city.

Commissioner Tarse motioned to close the public hearing, seconded by Story.

Public Hearing Closed.

The commission briefly discussed the screening and visibility. Mark confirmed it would likely not be very noticeable from the road.

**Motion made by Usset, seconded by Story to recommend approval of the conditional use permit to allow a ground mounted solar array which is greater than 500 square feet at 7975 County Road 6, subject to staff recommendations 1 through 3. Ayes: Gardner, Thompson, Dumas, Tarse, Story. Nays: None. Absent: Volkenant, Usset. Abstain: None. Motion Approved. 5-0**

This item will go to the June 3<sup>rd</sup> council meeting.

6. Open/Misc.

Mark provided some updates on city projects:

- The gravel road project contract was awarded but may be delayed due to weather
- There will be a Planning Commission meeting in July with a couple applications
- Midco is building out fiber internet across the entire city
- A new boardwalk is being constructed across the creek in Pioneer Creek Park
- The pile of highway debris by the hill will be removed once conditions allow truck access

A commissioner mentioned a deep pothole at the intersection of Becker and Woodhill Lane. Mark said he would ensure it gets repaired.

7. Adjourn.

**Motion by Story, seconded by Dumas to adjourn the meeting at 8:24pm. Motion Approved. 5-0**

Respectfully Submitted,

Amber Simon/Recording Secretary