



PLANNING COMMISSION MEETING AGENDA
TUESDAY OCTOBER 19, 2021

6:30 PM REGULAR MEETING

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - a. September 21, 2021 Planning Commission Meeting
 - b. October 5, 2021 City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING (Tabled Again):** Adam Young / I & K LLC (Applicant/Owner) are requesting the following actions for the property located at 2076 County Road 90 (PID No. 23-118-24-23-0001) in the City of Independence, MN:
 - a. A variance to allow a new building to be constructed using steel siding which does not meet the applicable design standards of the CLI-Commercial Light Industrial zoning district.
 - b. Site plan review to construct a new detached accessory structure and outdoor storage on the property.
5. **PUBLIC HEARING:** Jon Dailing (Applicant) and David Meyer (Owner) are requesting the following actions for the property located at 475 County Road 92 N (PID No. 32-118-24-13-0001) in the City of Independence, MN:
 - a. A Conditional Use Permit Amendment to allow the expansion of the existing training building located on the property.
6. **PUBLIC HEARING:** Colin Buechel (Applicant) and Aaron Ruhland (Owner) request that the City consider the following action for the property located at 6455 Meadow Ridge (PID No. 15-118-24-14-0007) in Independence, MN:
 - a. A conditional use permit to allow a ground mounted solar array.
 - b. A variance to allow a ground mounted solar array that exceeds the maximum size limitation of 500 square feet.

7. **PUBLIC HEARING:** Hennepin County (Applicant) is requesting the following minor subdivisions relating to the Highway 12/County Road 92 improvement project in Independence, MN:

- a. 7455 Hwy 12 (PID No. 16-118-24-43-0002)
- b. 7525 Hwy 12 (PID No. 16-118-24-43-0001)
- c. 7625 Hwy 12 (PID No. 16-118-24-31-0002)
- d. 7735 Hwy 12 (PID No. 16-118-24-34-0002)
- e. 7865 Hwy 12 (PID No. 16-118-24-32-0005)
- f. 7899 Hwy 12 (PID No. 16-118-24-32-0001)
- g. 7950 Egret Dr. (PID No. 16-118-24-32-0003)

8. Preliminary Ordinance Amendment Discussion:

- a. Subdivision Standards – Rural Residential
Cluster Development Standards

9. Open/Misc.

10. Adjourn.

MINUTES OF A MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
SPECIAL MEETING
SEPTEMBER 21, 2021 – 7:30 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

PRESENT: Commissioners Thompson, Volkenant. Alternates, Story and Tearse
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner
ABSENT: Gardner, Dumas & Palmquist
VISITORS: Sam Vandeputte, Mary Fehn, John Conlin, Mayor Marvin Johnson

3. Approval of Minutes:

- a. August 12, 2021 Planning Commission Meeting Minutes

Motion by Thompson to approve the August 31, 2021 Planning Commission minutes, second by Volkenant. Ayes: Thompson, Volkenant. Alternates, Story and Tearse. Nays: None. Absent: Gardner, Dumas & Palmquist Abstain: None. Motion Approved.

4. **PUBLIC HEARING (Tabled):** Adam Young / I & K LLC (Applicant/Owner) are requesting the following actions for the property located at 2076 County Road 90 (PID No. 23-118-24-23-0001) in the City of Independence, MN:
- a. A variance to allow a new building to be constructed using steel siding which does not meet the applicable design standards of the CLI-Commercial Light Industrial zoning district.
 - b. Site plan review to construct a new detached accessory structure and outdoor storage on the property.
5. **PUBLIC HEARING:** Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) are requesting the following actions for the property located at 1985 County Road 90 (PID No. 22-118-24-41-0005) in the City of Independence, MN:
- a. Site plan review to construct a new principal structure and outdoor storage on the property.
 - b. A commercial conditional use permit to allow an increase in the total allowable impervious surface coverage above 30%.

Property/Site Information:

The property is located on the west side of CSAH 90 just north of the intersection of County Road 90 and Highway 12. The property has an existing single-family home and detached accessory structure that would be removed to allow for this development. There are wetlands and some existing trees located on the property. The property has the following characteristics:

Property Information: 1985 County Road

90 Zoning: CLI - *Commercial Light*

Industrial Comprehensive Plan:

Commercial Light Industrial Acreage:

7.56 acres

Discussion:

The applicant approached the City several years ago after acquiring the property to discuss its possible use and development. The applicant has prepared several different concepts for the 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 approval to allow the construction of two new 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.

This site presents several challenges for development based on the existing conditions of the property. There are two wetlands located on the property. The applicant has worked with and received approval from the State and City to mitigate the front wetland. It was noted that this area represented a low-quality depression that would considerably impact the ability to develop the property for commercial use. Based on the ability to mitigate the front wetland, the applicant would like to develop the property to accommodate his own business (Sam's Landscape) as well as several new businesses in the northern building). Sam's Landscape is currently located across the street at 1960 County Road 90.

The subject property is zoned CLI – Commercial Light Industrial. Office, warehouse and outdoor storage are permitted within the CLI zoning district. The applicant would initially locate their landscape business on the property. 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. It is likely that the applicant would construct the south building first and then construct the north building as demand for the spaces dictates. The proposed buildings would be constructed from tilt up concrete panels or EIFS equivalent panels and metal accents around the front doors. The initial plan indicates that the buildings would have a flat roof; however, the applicant has noted that the final design may include a standing seam metal pitched roof. The applicant has characterized the buildings as being similar to the existing building that he currently owns and constructed across the street. The applicant has prepared several illustrative images which further depict the proposed exterior building elevations and site improvements.

No exterior lighting is shown on the proposed plans. Any site or building lighting would need to comply with all applicable requirements of the City.

2. Parking Requirements - The applicant is proposing to construct new bituminous parking spaces and a loading area to serve the new addition. For industrial and manufacturing type uses, the City requires: one space for each 350 square feet of gross floor area. For office only uses, the City requires one space for each 250 square feet of floor area. The applicant does not fully know the interior space breakdown of each building, noting that it will be somewhat tenant dependent. The City would generally acknowledge that some of the interior square footage would be storage, meeting areas, warehouse, bathrooms, etc. For these reasons, the City would generally consider one space per 350 SF to be a good placeholder for this development. The total building square footage is approximately 24,000 square feet ($24,000/350 = 68$ parking spaces). The proposed plan provides for 69 parking spaces (4 accessible parking spaces). All parking spaces would be paved and would have the requisite concrete curb and gutter perimeter. The number of parking spaces proposed would generally satisfy parking requirements for this site.

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

Required	Proposed
a. Front yard setback: 100 feet from centerline of road.	89.67'
b. Side yard setback: 20 feet from side lot line.	21' N/89' S
c. Rear yard setback: 20 feet from rear lot line.	N/A

- d. Setback from boundary of agricultural or rural residential dist: 100 feet. N/A
- e. Parking Setbacks: 20 feet from front lot line/10 feet from sidelot line. 20'

front/10' side The proposed buildings would meet all applicable setbacks.

2. Landscaping - Landscaping is required for new construction within all requisite setback areas. 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. The protective buffer must also contain grass, ground cover or shrubs. No impervious surfaces such as concrete or asphalt may be placed in the protective buffer. The applicant has prepared a landscape plan that depicts proposed landscaping. The plan generally provides perimeter landscaping as well as some interior parking lot landscaping. The City requires 1 tree per every 40 LF of property line. For this property the total perimeter property line lineal footage is 2,796 LF ($2796/40 = 70$). The total required number of perimeter trees would be 70. The applicant is proposing a 57 perimeter trees. The City would like to focus landscaping along the north property line, County Road 90 frontage and a portion of the south property line that is visible from County Road 90. The applicant is proposing 5 interior parking lot landscape islands. These islands would be landscaped with an ornamental tree and corresponding groundcover. 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.
3. Storm Water Management – Storm water management is being reviewed by the City. This project will also require the review and approval of the watershed district. The City has reviewed the initial plan and will be seeking additional detail relating to the proposed stormwater plans. These plans can be reviewed and considered prior to City Council consideration of the site plan review. The applicant has provided a stormwater management pond in the southeast corner of the site to accommodate runoff and quality control.
4. Lot Coverage - The maximum impervious lot coverage in the CLI zoning district is 30 percent. The overall site is 7.56 acres or 329,314 square feet. 30 percent of the total site area would allow 98,794 square feet of impervious coverage. The applicant is proposing to cover 53% 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.

The applicant is asking for a CUP to allow additional coverage on the proposed site. The applicant is proposing to meet the applicable stormwater runoff requirements relating to the total site runoff. The City has criteria for granting a conditional use permit. The criteria

generally require the City to find that any impacts associated with the proposed conditional use be adequately mitigated by the property owner. The applicant has noted that the additional impervious surface coverage would be mitigated by the landscaping, visible open space and additional stormwater management measures being proposed. It has been additionally noted by the City that the only other limitation on impervious surface coverage in the City is in the shoreland overlay district (25% maximum). Staff is seeking additional direction relating to the proposed impervious surface area and associated conditional use permit.

3. Outdoor Storage - The applicant is proposing to utilize the western portion of the site for outdoor storage. The proposed area would be gravel and enclosed with a chain link fence. All outdoor storage areas are required to be enclosed with a 6' tall opaque fence. Chain link fence would not meet the opacity requirements and would need to be comprised of a different material. In addition, the City requires all loading, parking and other vehicular areas to be paved. The applicant is proposing to provide a gravel outdoor storage area outdoor storage to the west of the proposed buildings.
4. Sanitary Sewer – There is an existing on-site septic system that would be removed as a part of the building/house demolition. The applicant has identified a primary and secondary septic site on the property. The sites are shown on the proposed plans and would be protected and remain unimproved in the proposed development condition.

The proposed development of this commercial property generally meets the intent and applicable requirements of the City's CLI zoning district. 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 and conditional use permit.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested site plan review and conditional use permit. Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be considered:

1. The proposed Site Plan Review and Conditional Use Permit 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. The total impervious surface coverage for this property will not exceed 53% of the total lot area. The applicant shall meet the City's requisite mitigation measures relating to the additional impervious surface coverage.

3. The applicant shall submit a final landscape plan and receive City approval prior City Council consideration.
4. The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
5. The applicant shall receive approval of the proposed access from Hennepin County.
6. Any new building or site lighting shall comply with the City's applicable standards. The applicant shall submit cut sheets to the City prior to obtaining building permit approval.
7. 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.
8. The Applicant shall pay for all costs associated with the City's review of the requested site plan and conditional use permit approval.
9. The resolution shall be recorded against the property.

Kaltsas explains the review to construct two new principle structures and outdoor storage on the subject property and a conditional use permit to allow and increase in the total allowable and impervious coverage above 30% on that property. There is an existing single family home and one detached accessory building. The property is zoned commercial industrial by the city. It is 7.5 acres in size. Any new construction requires site plan review in commercial industrial districts. The applicant owns the two lots directly across County Road 90 as well. The maximum impervious coverage in commercial industrial is 30% so the applicant is seeking a conditional use permit for a property to exceed the 30% which would allow up to 75% coverage. There are several wetlands on the property. Applicants have gone through the process to mitigate the front wetland. They are 2 one-story buildings of concrete or stucco panel similar to what they have on the other side of the street. They would like to construct the South building first and then the other. The parking requirements are one space per 350sqft. The spaces would call for 68 parking spots with 4 being accessible. They would all be paved. The applicant provided building setbacks and landscaping plans. Applicant has sized stormwater to the city's requirements on a 53% impervious surface coverage. The wetland on the back of the property would be better to maintain. Kaltsas suggests screening to the park to the North. He states that they would use an opaque chain link fence around the outdoor storage area. The outdoor storage area would be gravel or pavement. Story asks what the spirit is of the 30% impervious coverage. Kaltsas says that a 30% maximum is a little prohibitive. It just allows for the city to monitor anything greater than that amount. Thompson asks what is the fence issue and if it is a noncompliant site proposal. Kaltsas says this is a large area so does an opaque fence make sense around the entire perimeter. Story asks what about just fencing the street front. Thompson asks about the setback of 100' from centerline of road for the front. Kaltsas says that the building is 119' from the centerline.

Public Hearing Opened

Sam Vandeputte speaks about wanting to develop the property across the street. He would be willing to do any kind of fence that the City is recommending. Currently they have a 6' chain link with the plastic throughout. If the color is picked right it would look fine. On the North side next to the park there are a lot of trees that would help with the buffering. Thompson asks Vandeputte to talk a little bit about the attempt for storage. They have a 13,000sqft building now so they share with other companies. They would like to start the one building as soon as they could and move into that space. It would open up the space they are currently using and market it for lease to another office warehouse. Thompson asks about what they do

allow and what do they not allow as far as outdoor storage with the fencing. Vandeputte says look at what he runs now, and he runs a pretty good ship. He plans on owning and maintaining these buildings for decades, not just years. He is fine with a fence around the entire storage area, but he is looking for a fencing option that is not high on maintenance. Tearse asks if we looked at his property at a previous meeting. Kaltsas clarifies which location and business. Story asks if he plans to occupy both sides of the street. Vandeputte says possibly, but at the time they are full and need more space. Ideally, they would move across the street and do something with the other space in the future. Thompson asks about using the storage for retail storage. Kaltsas says outdoor storage must be associated with the business of the premise it is located on.

Motion to close public hearing by Tarse, second by Volkenant.

Tarse mentions that he thinks the applicant did a great job at presenting the plans. Thompson asks what the thoughts are regarding fencing. Story says that the tree lines on the South side of the park is deciduous and that will be good opacity. Tarse asks about the house that is on the property now. Vandeputte says that the goal would be to demolish the house this Winter or Spring. Kaltsas asks if the north building could slide a little. Sam says the way it is laid out, it would maximize the property. Could stagger the trees and gravel pad but we would have way more green space. Story says that there are 57 trees proposed and add 20 extra trees along the South side and add the North opacity fencing.

Motion made by Tarse to approve the request at 1985 County Road 90, pursuant to all staff recommendation with fence opacity per the ordinance on the north side, second by Story. Ayes: Thompson, Volkenant. Alternates, Story and Tarse Nays: None. Absent: None. Abstain: None. Motion Approved.

6. PUBLIC HEARING: Katie and Brian Roers and Mary Fehn (Applicants/Owners) request that the City consider the following action for the properties located at 2914 and 2030 Lindgren Lane (PID No.s 13-118-24-24-0006 and 13-118-24-24-0031) in Independence, MN:

- a. A minor subdivision to allow a lot line rearrangement between the subject properties.

Request:

Katie and Brian Roers and Mary Fehn (Applicants/Owners) request that the City consider the following action for the properties located at 2914 and 2030 Lindgren Lane (PID No.s 13-118-24-24-0006 and 13-118-24-24-0031) in Independence, MN:

- a. A minor subdivision to allow a lot line rearrangement between the subject properties.

Property/Site Information:

The subject properties are located at 2914 and 2930 Lindgren Lane. The properties both have shoreland on Lake Independence. There is an existing home and several small sheds located on the property. The property is accessed from Lindgren Lane although the property has no direct frontage on the road. The property access is gained across the City's property. The property is approximately .36 acres. This property is considered a sub-standard lot of record. Substandard lots of record in the shoreland district are allowed to have reduced setbacks of 60% of the required

setbacks.

Property Information: **2914 Lindgren**

Lane Zoning: *Rural Residential*

(*Shoreland Overlay*) Comprehensive

Plan: *Rural Residential Acreage:*

(Before) .36 acres

(After) .75 acres

Impervious Surface Maximum: 25% ~(8,167.5 SF permitted)

Property Information: **2930 Lindgren**

Lane Zoning: *Rural Residential*

(*Shoreland Overlay*) Comprehensive

Plan: *Rural Residential Acreage:*

(Before) 1.47 acres

(After) 1.08 acres

Impervious Surface Maximum: ~(11,761 SF permitted / 9,839 SF existing)

Discussion:

The City granted a variance for 2914 Lindgren Lane in 2014 and again in 2019 allowing a reduction to the side yard setbacks to facilitate the construction of a new home on the property. The applicants are getting ready to move forward with the construction of the home and approached the City about the possibility of a lot line rearrangement that would provide public road frontage to the property. Both property owners have now agreed to a proposed lot line rearrangement that would provide access to 2914 from Lindgren Lane.

The proposed minor subdivision would allow the 2914 property to be brought closer towards compliance with applicable lots size and public frontage requirements. 2914 Lindgren Lane currently has access from both the 2930 property to the north and the City's property to the south. Both properties are considered legal non-conforming properties for not meeting all applicable requirements of the City's zoning ordinance.

There are several factors to consider relating to proposed minor subdivision as follows:

2930 Lindgren Lane

- The property does not have the minimum frontage required.
- The property is connected to City sewer.
There is an existing shed located on the south side of the property that does not meet the applicable side yard setback in the before condition. No change conformance would occur as a result of the subdivision in the after condition.
- The existing home does not meet all applicable building setbacks in the before condition. No change in conformance would occur as a result of the subdivision in the after condition.

2914 Lindgren Lane

- The property has no public road frontage in the before condition.

- The property will be connected to City sewer when developed.
- The City granted a variance to allow a reduced side yard setback (north property line).
- Access to the property will remain unchanged as a result of the proposed subdivision.

The proposed minor subdivision to allow a lot line rearrangement generally allows the 2914 Lindgren Lane property to be brought closer towards compliance with applicable standards. There do not appear to be any adverse impacts resulting from the lot line rearrangement.

Neighbor Comments:

The City was contacted by a neighboring property owner to acquire additional information relating to the proposed lot line rearrangement.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision to allow a lot line rearrangement. Should the Planning Commission Recommend approval, the following findings and conditions should be considered:

1. The proposed minor subdivision request meets all applicable conditions and restrictions stated in Chapter V, Section 500, Subdivisions and Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The applicant shall pay for all costs associated with the City's review and recording of the requested minor subdivision.
3. The City Council Resolution shall be recorded with the County.

Kaltsas explains that this is a request for a minor subdivision to allow a lot line rearrangement at 2930 and 2913 Lindgren Lane. Both properties are located in the city's Rural Residential and have the shoreland overlay. 2914 is 0.36 acres now and will be 0.75 acres after the rearrangement. It would fall within the city's maximum impervious surface requirements. The property located at 2930 is 1.47 acres currently and would decrease to 1.08 acres after rearrangement. With the existing structures and driveways this property would still fall within the maximum impervious surface. The plans show the new line would bisect and split at the right-of-way 16' and 16'. This essentially would make the small lot a little larger. It takes two legal non-conforming lots and makes them a little less legal non-conforming. The applicants have agreed on this lot line.

Story asks if the Roers are looking to build? Kaltsas says, yes, they were here a few years ago. Thompson asks if this adversely affect us with MetCouncil. Kaltsas says it is net density, so it really doesn't do anything.

Public Hearing Opened

Mary Fehn lives at 2930 Lindgren Lane. The change in the lot is just a wooded lot that is being sold to 2914. This line rearrangement would help her stay in her home longer due to less property taxes. It is an unused area of her lot.

Thompson asks if the driveway is staying. Mary says, yes there is no other area to move this to and it is essential for emergency vehicles to get in and out.

Bob Ibler owns 2 properties north of Mary. He states he is fine with the lot line adjustment, but he is concerned with the access. Mary and John get a lot of deliveries. Right now, the trucks will come down one driveway, cut through and go out the other driveway. He would like the Roers to stick to the driveway they have and not to use Mary's. Kaltsas asks if there is an agreement with the Roers on driveway usage. Mary says there is no agreement with the Roers to use the driveway. Mary has to move the propane tank.

Motion to close public hearing by Tearse, second by Story.

Thompson asks about the driveway issues and thoughts. Kaltsas says there is a neighbor agreement. Thompson says the feedback to the applicants is that there should be 1 driveway per house. The city has an easement with John Conlin and licensed 2914 Lindgren Lane. Mary says once the propane tank is moved, it will pretty much block off the access of the shared driveway.

Motion made by Volkenant to approve the minor subdivision and lot line rearrangement at 2915 and 2930 Lindgren lane with the considerate of the issue concerning the driveway access, second by Story. Ayes: Thompson, Volkenant. Alternates, Story and Tearse Nays: None. Absent: None. Abstain: None. Motion Approved.

7. Open/Misc.

8. Adjourn.

Motion by Volkenant, second by Tearse to adjourn at 8:43 p.m.

Respectfully Submitted,

Amber Simon / Recording Secretary

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, OCTOBER 5, 2021 – 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, Councilors Spencer, Betts, McCoy and Grotting

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator
Horner, Attorney Bob Vose

VISITORS: Mary Fehn, John Conlin, Sam Vandeputte, State
Representative Jerry Hertaus

4. ****Consent Agenda****

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

- a. Approval of City Council Minutes from the September 21, 2021, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch #1 Checks Numbered 20740, Batch #2 Checks Numbered 20741-20772)

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

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

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Grotting attended the following meetings:

- Fire Department Open House

Spencer attended the following meetings:

- Planning Commission

McCoy attended the following meetings:

- Fire Department Open House

Betts attended the following meetings:

- Police Commission

Johnson attended the following meetings:

- Planning Commission
- Installation Ceremony of the new President of Crown College
- Orono Healthy Youth (Zoom)
- Senior Community Services Board (Zoom)
- Hennepin County Active Living (Zoom)
- Finance Meeting for Sr. Community Services Board (on stand-by)
- Police Commission
- Toward Zero Death (TDZ) Phone Interview
- Annual Citizens League, MN (virtual)
- Fire Department Open House

Horner attended the following meetings:

- Planning

Kaltsas attended the following meetings:

- MetCouncil
- Working on meeting with Mediacom and Medco to expand data & internet services

7. Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) are requesting the following actions for the property located at 1985 County Road 90 (PID No. 22-118-24-41-0005) in the City of Independence, MN:

- a. **RESOLUTION NO. 21-1005-01** – Considering approval of site plan review to construct a new principal structure and outdoor storage on the property; and
- b. A commercial conditional use permit to allow an increase in the total allowable impervious surface coverage above 30%.

Kaltsas explains the request from Sam Vandeputte. One of the biggest things that was noted during the earlier plans are the need to mitigate the wetland closest to the road on the property. They did go through the process to mitigate that wetland. They have put together a plan to construct two new 12,000 sq ft buildings. There would be a large outdoor storage area on gravel for raw material storage. Parking is proposed on the east side of both buildings. The building is nonsteel exterior which meets city building design standards. Their plan will meet all architectural code and they may go with a flat pitched or metal roof. The building would be a mix of office, warehouse and manufacturing space so as far as parking, the city has come up with approximately 65 parking

spaces, however the plan shows 69 parking spaces which is adequate. The parking will be paved and curb and gutter. Setbacks will all be met and there is a landscape and stormwater plan.

They are asking for a conditional use permit for an increased total allowable impervious surface coverage above 30% which would be approximately 53% impervious. The base level is 30%. They noted that they would be requesting it for additional outdoor storage. The planning commission would like to see opaque fencing on the North and East sides where it is visible from public view. The South and West sides could be a chain link fence if needed. Planning commissioners noted that outdoor storage will be used for paying tenants in this building and not lease or rent. They included this in the condition. There were no public comments on this request and planning commission recommended approval.

Johnson asks if the plan will be presented to the city for the outdoor storage. Kaltsas says there isn't a separate plan provided for the outdoor storage. Johnson asks if there is a plan for rain overflow into the county ditch. Kaltsas says rainwater would flow into the wetland to the West or into the ditch. Johnson mentions he would hate for a high rainstorm to flood the road. Kaltsas says they will do final review once they get all the calculations, and they are subject to watershed review and approval. Betts asks what types of buildings would be allowed here? Sam Vandeputte says it will be just like they have now. We would have 50% of the building and lease out the other half of the building. Johnson asks if the driveway is the same. Sam explains that it is right across the street from the East building.

Grotting asks if the west side of the building are loading docks or what is between the buildings. Kaltsas says there are loading docks and it is for staging, loading and deliveries. The primary and secondary septic was also noted as well as drain fields. Spencer asks about the opaque fence between the park and the business. He asks isn't there a significant number of trees along that line. Kaltsas says some of the trees will come out but most of the trees are on the city side of the line. It is possible that the city would impact the trees in the future as well if they added a ballfield or something else to the park. Sam says once they get the percentage of landcover they will move ahead. Then we will get the grading and building plans to Mark within the next 3 months.

Johnson asked if they have taken any consideration to the footage that the city usually allows on County Road 90 or has that already been included to make it a 100' from the road? We usually ask for an additional 17' for county road upgrades. Kaltsas said we could clarify that with the county. There is a 33' half section with the present road. McCoy asks if this is considered a subdivision. Kaltsas says no and that is probably why the county is not asking for the additional 17' setback. McCoy says if it was built as proposed it'd be like the city hall as it comes to our parking lot. Spencer says he thinks there is enough room that if the county wants to come back and get 17' they can. Johnson asked what the county required on County Road 11 for the berm. Kaltsas said this is different.

Bob Vose proposed #8 about the outdoor storage limited to use by owners or tenants. It should be noted that there is no separate renting. Applicant may want to allow renting of outdoor storage but only to tenants. Johnson says this would be a 2- or 3-word change. McCoy mentions that he likes that additional change.

Motion by Spencer, second by McCoy to approve Resolution No. 21-1005-01 with the amended #8 wording change. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Johnson recognized Jerry Hertaus walked in. Jerry greeted the Council. Hertaus read the House Resolution honoring Mayor Marvin Johnson on 41 years of service. Marvin Johnson is the longest serving Mayor in Minnesota history. He has been involved with the city since 1973. Hertaus presented this to Mayor Marvin

Johnson and they took a couple photos with the Council members.

8. Katie and Brian Roers and Mary Fehn (Applicants/Owners) request that the City consider the following action for the properties located at 2914 and 2030 Lindgren Lane (PID No.s 13-118-24-24-0006 and 13-118-24-24-0031) in Independence, MN:

- A. **RESOLUTION NO. 21-1005-02** – Considering minor subdivision to allow a lot line rearrangement between the subject properties.

Kaltsas explains a minor subdivision and lot line rearrangement between Fehn and Roers. There are a few changes this will cause. It would add acreage to 2914 Lindgren Lane and take away acreage from the 2030 Lindgren Lane property. The property on 2030 does not have applicable frontage on a public right of way so it is considered a legal nonconforming property and 2914 has no frontage on a public right of way. Both properties are connected to the city sanitary sewer and 2914 will be connected in the constructed condition. There are no changes in the after condition to the properties. Mary Fehn is present as well as John Conlin. They discussed a cut through for delivering packages and neighbors noticed increase traffic. There is no formal agreement related to access, but they feel it would be resolved with construction of a new home. Planning commission noted we don't control this cut-through issue and recommended approval. Mary noted that the two people that spoke last time are 2 lots South of her property and the partial driveway helps get larger emergency vehicles and delivery vehicles in and out efficiently.

Johnson asked if the old cabin still there. Mary says no. Kaltsas says they are planning on doing something to build in accordance with the variance. Johnson asked if anyone is online that would like to speak to this topic. Kaltsas says no. Spencer asks if the intention is for them to build another driveway or what the agreement is. Kaltsas says we gave them a license agreement to use the city side. Grotting asks if there is a casual maintenance agreement. Kaltsas says we have a written agreement on the maintenance and access on the city's property, but it is up to the two owners if they want to do something on the cut-through driveway. Grotting asks what the ratio is and if it is still 1:4. Kaltsas said it is still 1:4 but essentially, they are taking two legal nonconforming lots and making them better. The 1:4 does not apply when they are not creating new.

Motion by McCoy, second by Spencer to approve Resolution No. 21-1005-02 for a minor subdivision to allow a lot line rearrangement between the subject properties. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

9. Consider Approval of **RESOLUTION NO. 21-1005-03** Appointing Election Judges for the November 2, 2021 General Election.

Motion by Grotting, second by McCoy to approve Resolution No. 21-1005-03 the approval of appointing election judges for the November 2, 2021 General Election. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

10. Consider Approval of **RESOLUTION NO. 21-1005-04** Approving the Jurisdictional Transfer of a Portion of CSAH 92 South of Highway 12 As a Result of the CSAH 92/TH 12 Overpass and Realignment Project.

Kaltsas explains this is to transfer a portion of County Rd 92, South of Highway 12. The county would give part of County Rd 92 back to the City. The County would give the City a lump sum of cash to put towards multiple repairs that would be needed after this road project. The city would determine how to use the funds to make improvements to items such as signs, culverts, etc. and bring the road up to standards. It would be about \$110,000 as a part of that turn-back. It would get us a 15-year road. Johnson asks if the driveway off the new road is all owned by the same person. Kaltsas says yes. The property to the West would have access to the cul-de-sac. Spencer asks if the cul-de-sac is on Valley Rd? Kaltsas says this is just the project map. Valley is being constructed at 100% of Hennepin County. McCoy asks if Valley will be the last Road done. Kaltsas says it will be the first road done since the railroad would like it closed off. McCoy says he is just thinking of emergency vehicles to have it closed last so we can get through. Kaltsas says he wonders if it can just allow for emergency vehicles to get through. Johnson says if locals know its open, they'll use it all the time. It could be a major cut-through road.

Motion by Betts, second by McCoy to approve Resolution No. 21-1005-03. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

11. Discussion Regarding November 2, 2021 City Council Meeting Date Conflict Due to the General Election.

Due to the General Election on November 2, this would interfere with the City Council Meeting planned this evening. Kaltsas says there are a few planning items so we can't skip this one. The Monday before or the Wednesday following would work or pushing it to the following week. Johnson says he is busy the following Tuesday. We can do it Wednesday, November 3 at an earlier time, 5:30pm.

Motion by Spencer, second by Grotting to change the November 2, 2021 City Council Meeting to November 3 2021 at 5:30pm. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

12. Open/Misc.

13. Adjourn.

Motion by Betts, second by Spencer to adjourn at 7:42 p.m. Ayes: Johnson, Grotting, Betts, and Spencer. Nays: None. Absent: McCoy. None. Abstain: None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Amber Simon / Recording Secretary

City of Independence

Request for an Amendment to the Conditional Use Permit for the Windsong Farm Golf Club Located at 18 Golf Walk

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: October 19, 2021
Applicant: Windsong Farm Golf Club (Jon Dailing)
Owner: David Meyer
Location: 18 Golf Walk

Request:

Jon Dailing/Windsong Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following actions for the property located at 475 County Road 92 N (PID No. 32-118-24-13-0001) in the City of Independence, MN:

- a. Conditional Use Permit Amendment to allow the expansion of the existing training building located on the property.

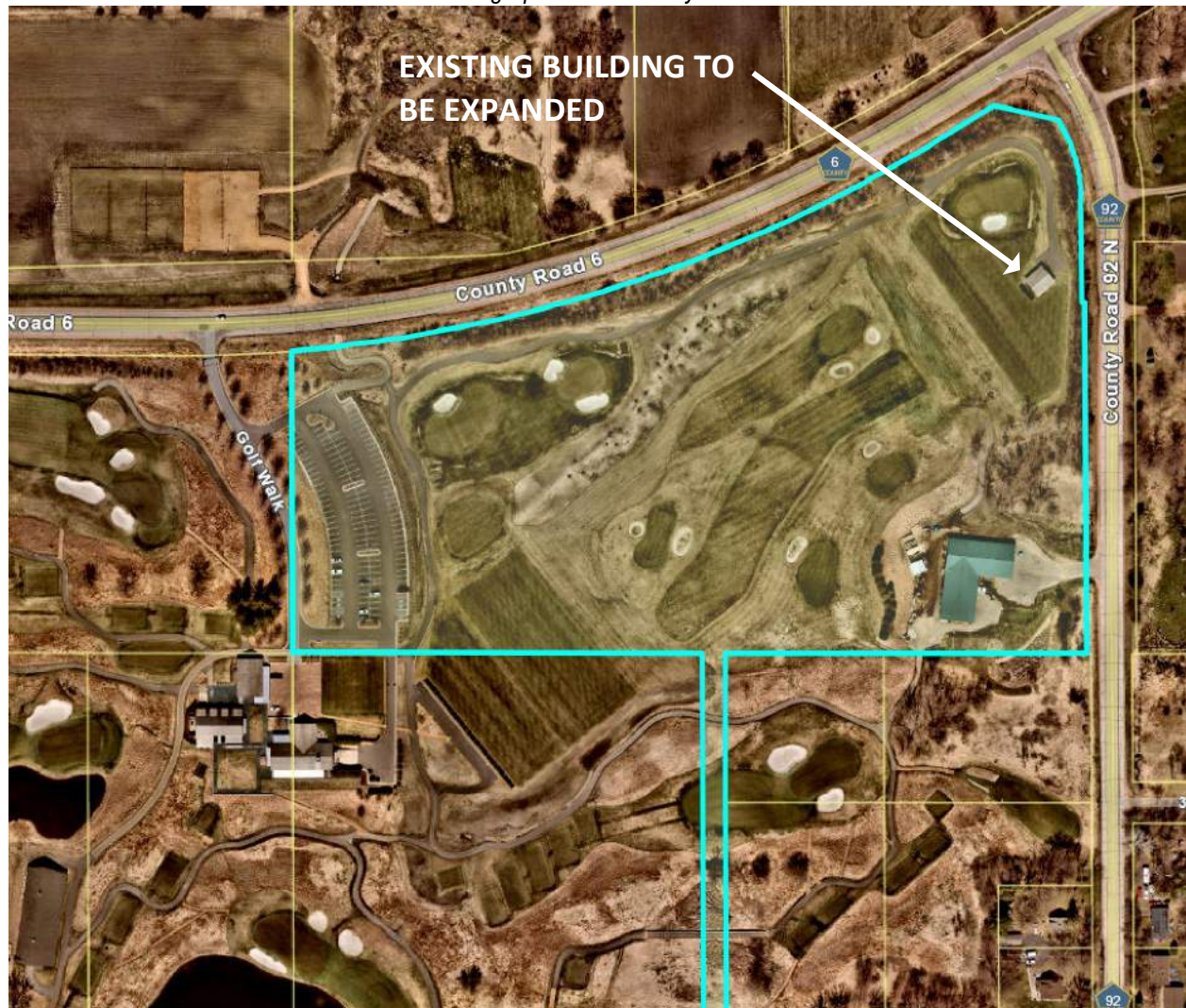
Property/Site Information:

The subject property is located on the south side of County Road 6, just west of County Road 92. The property is a golf course. The properties have the following characteristics:

Property Information 18 Golf Walk
Zoning: *Agriculture*
Comprehensive Plan: *Public/Semi-Public*
Acreage: ~200 total acreage of golf course

Property 32-118-24-13-0001 (Specific Property)
Zoning: *Agriculture*
Comprehensive Plan: *Agriculture*
Acreage: ~20

Aerial Photograph of 475 County Road 92. N.



Discussion:

The applicant is seeking an amendment to the existing conditional use permit to allow the expansion of the existing training building located in the northeast corner of the golf course property and on the east side of the existing driving range. The existing building serves as storage for the driving range and provides for a small teaching area used by the club professional to provide golf instruction. The proposed expansion would add a bathroom, storage area and covered practice area. The existing building is approximately 900 sf (30' x 30'). The proposed expansion would add a 20' x 20' enclosed addition and a 12' x 32' covered (open sides) practice area. The total enclosed building area in the proposed condition would be 1,300 SF. The existing building is currently accessed via paved path that runs between the parking lot/clubhouse and the building.

In order to consider the expansion of the existing building on the property, an amendment to the conditional is necessary.

520.09 Subd. 8. If a conditional use permit holder wishes to alter or extend the operation or to change the conditions of the permit, the city will evaluate the permit holder's compliance with the existing permit conditions. Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued requires an amended conditional use permit. An amended conditional use permit application must be administered in a manner similar to that required for a new conditional use permit.

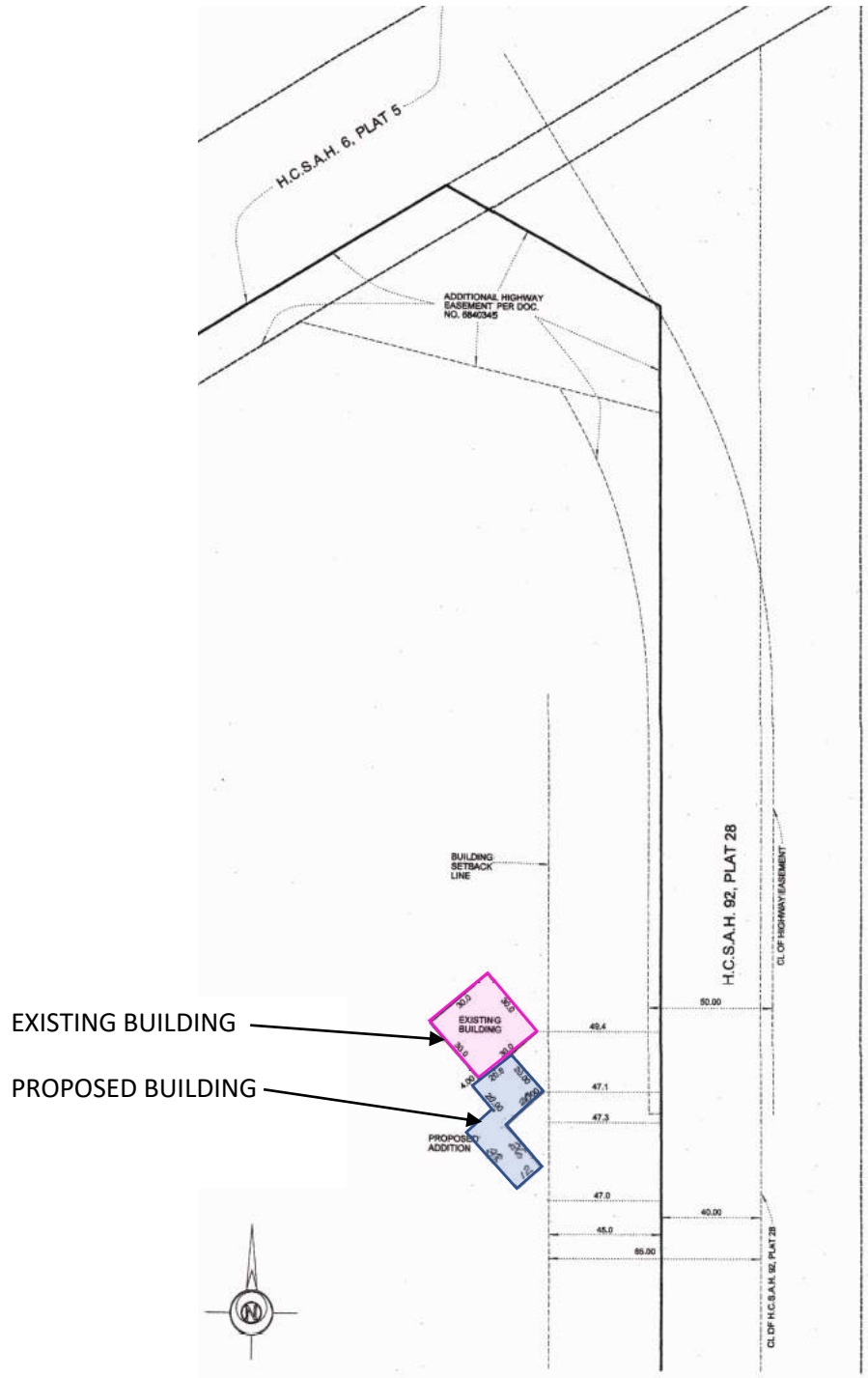
Commercial golf courses are permitted as conditional uses in the AG - Agriculture zoning district. The golf club has a conditional use permit that was originally approved in 2001 and amended in 2012, 2013 and 2016. The CUP allows a golf course and its associated 29,000 SF club house/pro shop, maintenance building, training garage, guest house and overflow parking north of CSAH 6. The initial Golf Course CUP was issued under 530.01, subd. 4(s) which makes "commercial golf course" a conditionally permitted use.

The existing and proposed building is generally screened from view by an existing berm and vegetation located along CSAH 6 and CSAH 92. The building and proposed expansion are required to be setback 85' from the centerline of CSAH 92. The existing portion of the building is located 89.4 feet from the centerline of CSAH 92 at its closest point. The proposed expansion would be setback 87.1 feet at its closest point from CSAH 92. The proposed building would be constructed of similar materials to the existing building.

Any amendment to an existing CUP must meet the same requirements established for granting a new CUP. 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 purposes 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 from pollution hazards.*
- 6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.*
- 7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.*

8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.



The existing golf course is relatively secluded from the surrounding properties and County Roads. Golf courses are permitted as a conditional use in the Agriculture zoning district. The property is guided in the Comprehensive Plan as Public/Semi-Public. The expansion of this building will likely result in minimal impacts to surrounding property. The City will need to determine if the proposed expansion of the training building is consistent with the use of the property as a golf course. In addition, the City will need to determine if the proposed amendment to the CUP meets the requirements for granting a conditional use permit.

There are a few additional considerations that should be noted:

1. The new bathroom will be connected to a new drain field that will also be used by the maintenance building to the south. The City will be reviewing and permitting this system. The existing maintenance building is currently connected to a holding tank.
2. The covered (open sided) portion of the proposed expansion will utilize radiant heaters for use in the late fall and early spring.
3. The existing facility is heated.

The Planning Commission will need to determine if the requested amendment to the conditional use permit meets all of the aforementioned conditions and restrictions.

Neighbor Comments:

The City has not received any written comments regarding the proposed amendment to the conditional use permit.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the request for an amendment to the conditional use permit. Should the Planning Commission make a recommendation to approve the requested action, the following findings and conditions should be considered:

1. The proposed conditional use permit amendment meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. This amendment approves the expansion of the existing training building in accordance with the approved plans.

4. Prior to the City granting a building permit for the proposed building expansion, the applicant shall complete the following items:
 - a. Provide the City with a sanitary sewer plan for serving the proposed building.
 - b. Provide the City with cut sheets for any building lighting.
5. The applicant shall pay for all costs associated with the review and approval of the proposed conditional use permit amendment.
6. The applicant shall record the resolution with Hennepin County following City Council approval.

Attachments:

1. Site Photos
2. Site Survey
3. Applicants Proposed Building Plans

Attachment

Photos of Existing Building (East View and Southwest View)





**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Jon Dailing

Address: 18 golf Walk
Independence ,
Minnesota 55359

Primary Phone: 9527973727

Email: jdailing@wsfarm.com

Owner Information

Name: David Meyer

Address: 18 golf walk
independence, Minnesota
55359

Primary Phone: 9527973727

Email: jdailing@wsfarm.com

Property Address:

PID:

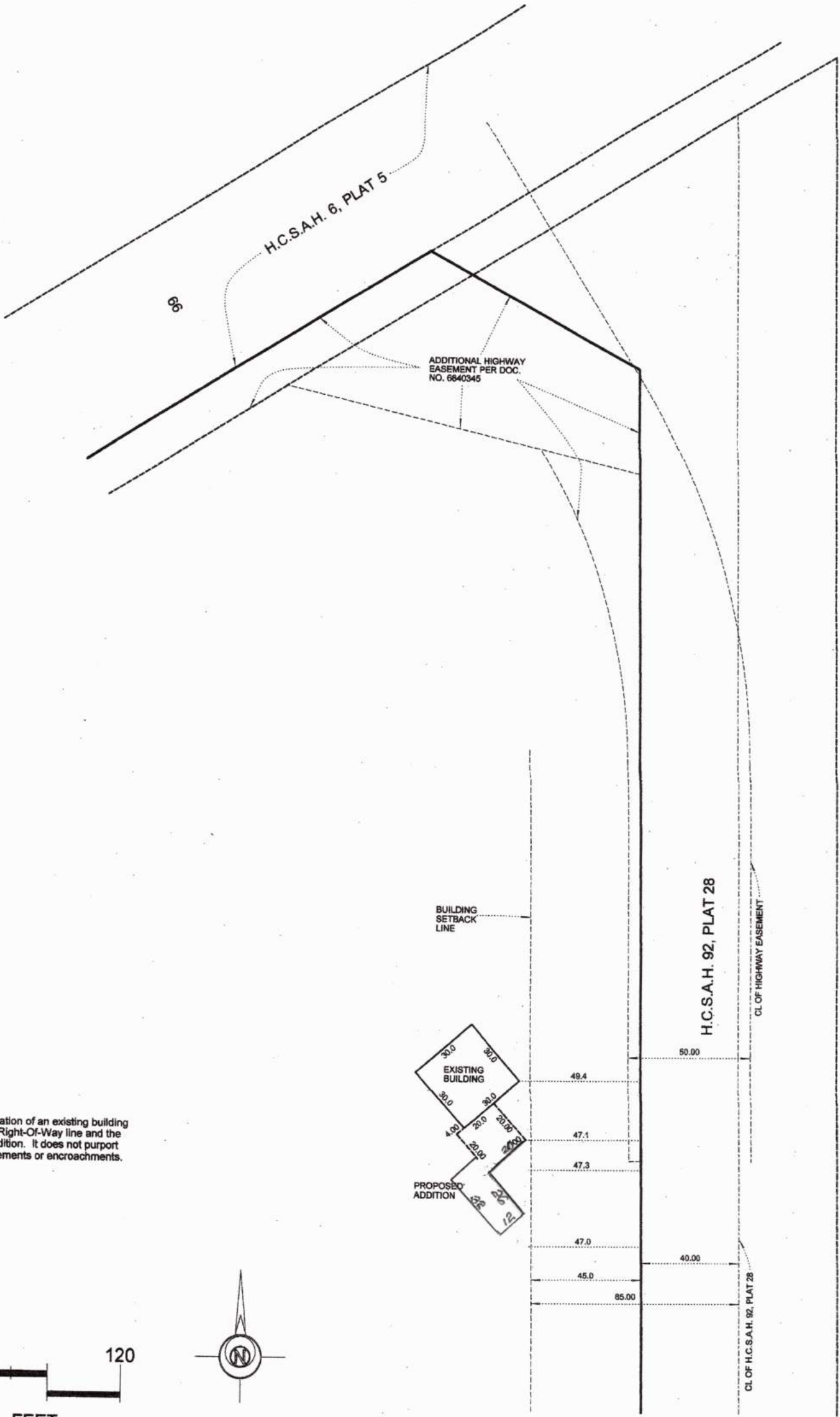
Planning Application Type: Conditional Use Permit

Description:

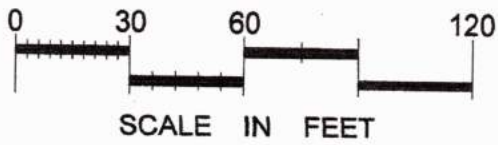
Supporting Documents: Site Survey (Existing Conditions), Site Survey (Proposed Conditions), Building Plans, Construction Plans


Signature:

CERTIFICATE OF SURVEY FOR
WINDSONG FARM GOLF CLUB
IN SEC. 32, T. 118, R. 24
HENNEPIN COUNTY, MINNESOTA



This survey shows the location of an existing building in relation to the Easterly Right-Of-Way line and the location of a proposed addition. It does not purport to show any other improvements or encroachments.



REVISIONS		DESIGNED	I hereby certify that this plan, specification, or 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 6-30-21 SCALE 1"=30' JOB NO. 21-016A SHEET OF SHEETS		GRONBERG & ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS 445 N. WILLOW DRIVE LONG LAKE, MN 55356 PHONE: 952-473-4141 FAX: 952-473-4435
DATE	REMARKS	DRAWN				
		CHECKED				
			<i>Mark L. Gronberg</i>	DATE 6-10-21	MINN. LICENSE NUMBER 12753	

City of Independence

Request for a Conditional Use Permit and Variance to Construct a Ground Mounted Solar System on the Property located at 6455 Meadow Ridge

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	October 19, 2021
<i>Applicant:</i>	Colin Buechel – All Energy Solar
<i>Property Owner:</i>	Aaron Ruhland
<i>Location:</i>	6455 Meadow Ridge

Request:

Colin Buechel (Applicant) and Aaron Ruhland (Owner) request that the City consider the following action for the property located at 6455 Meadow Ridge (PID No. 15-118-24-14-0007) in Independence, MN:

1. A conditional use permit to allow a ground mounted solar array.
2. A variance to allow a ground mounted solar array that exceeds the maximum size limitation of 500 square feet.

Property/Site Information:

The property is located on the south side of Meadow Ridge (Meadow Ridge is on the west side of CSAH 90 – just south of Fogleman Rd. The property has an existing home. The property has the following characteristics:

Property Information: 6455 Meadow Ridge
Zoning: *Rural Residential*
Comprehensive Plan: *Rural Residential*
Acreage: 6.42 acres

Subject Property



Discussion:

The applicant approached the City about the possibility of installing a ground mounted solar system on the subject property. The City provided the applicant with the requirements and discussed the process for initially developing the City's standards relating to ground mounted solar systems. All ground mounted solar systems require a conditional use permit. Ground mounted solar systems are limited to a maximum square footage of 500 square feet. Ground mounted solar systems have the following requirements:

Subd. 5. Ground-mounted solar energy systems shall conform to the following standards:

- (a) Ground-mounted systems shall only be allowed on a parcel with an existing principal structure.*
- (b) Ground-mounted systems shall be located only in rear or side yards.*
- (c) Ground-mounted systems shall not be located in the Shoreland Overlay District.*
- (d) Ground-mounted systems shall be wholly screened from view from the public right-of-way and adjacent residential structures. Methods for screening shall include berming, fencing, landscaping and/or combination thereof.*

- (e) Ground-mounted systems shall be located on a parcel of at least 2.5 acres.
- (f) Ground-mounted systems shall be setback 40 feet from the rear yards.
- (g) Ground-mounted systems shall be setback 30 feet from the side yards.
- (h) Ground-mounted systems shall have a maximum area of 500 SF.
- (i) The maximum height for any component of the system shall be 15 feet.
- (j) Ground-mounted systems shall be in compliance with any applicable local, state and federal regulatory standards, including building, electrical and plumbing codes.
- (k) Ground-mounted systems and their support structures shall be designed by a certified professional to meet applicable professional standards for the local soil and climate conditions.

The proposed ground mounted solar system would be located in the rear yard (south side) of the existing home. The proposed solar system would be comprised of three separate ground mounted arrays. The total square footage of the three arrays is proposed to be 686 SF. The proposed system would exceed the maximum square footage permitted by 186 SF. The applicant has noted that the calculation of the square footage from a above the arrays (looking down and as a result of the angle) would be 576 SF. The City calculates the square footage based on the total face feet of the actual array.

The arrays would be setback approximately 85 feet from the south rear property line (rear yard) and 45 feet from the west side property line (side yard). The required setback for the rear yard is 40 feet and the required setback for the side yard is 30 feet (shown on site plan)



The proposed ground mounted system would have a maximum height of 12'-6" to the top of the highest portion of the panels. The City requires systems to be wholly screened from view of the public right of way and adjacent residential structures. There are residential homes and property to the south and west of the subject property and proposed location of the ground mounted array. The proximity of the proposed ground mounted system to the nearest residence (about the same distance to the home on the west and south) is approximately 240 feet. Both homes sit approximately 20 feet higher than the ground elevation of the proposed solar arrays. There is existing and mature vegetation located on the west and south property lines. One additional consideration relating to screening is that the panels will be oriented to face south.

The applicant has provided the City with a site plan and images of the proposed solar system. The system is comprised of 28 panels. The panels are oriented to the south and will be installed at a 35-degree angle to the ground. The proposed panels are mounted to aluminum rails on a galvanized metal racking system. The racking system is proposed to be secured to the ground using helical pilings. The proposed solar panels are a mono Perc cell panel that has an anti-reflection coating. This type of panel is typically a little darker blue in color.

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.*

520.21. Standards for granting variances. Subdivision 1. The City Council may grant a variance from the terms of this zoning code, including restrictions placed on nonconformities, in cases where: 1) the variance is in harmony with the general purposes and intent of this zoning code; 2) the variance is consistent with the comprehensive plan; and 3) the applicant establishes that there are practical difficulties in complying with the zoning code (Amended, Ord. 2011-08)

Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in complying with the zoning code. For such purposes, “practical difficulties” means:

- (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;*
- (b) the plight of the property owner is due to circumstances unique to the property not created by the landowner;*
- (c) the variance, if granted, will not alter the essential character of the locality.*

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. (Amended, Ord. 2011-08)

Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08)

520.23. Conditions and restrictions. The board of adjustments may recommend, and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance. (Amended, Ord. 2011-08)

The City has discussed the proposed ground mounted solar system with the applicant. The proposed ground mounted solar system exceeds the City’s maximum size for ground mounted solar systems. The energy generated by this system is 12.6 kW (DC). The applicant has noted that the homeowners are planning on remodeling the home and installing a ground source HVAC system. The ground source system will generate a significant energy need for the property. There are a few additional considerations that should be noted by the City:

- The maximum size of permitted by a ground mounted solar system (500 SF) was based on the size of a typical residential solar system. This system would require the City to grant a variance to the maximum size to allow 186 additional square feet of surface area. The criteria for granting a variance are provided within this report. The City will need to find that the size limitation on ground mounted systems creates a hardship to the owner. Additionally, the City will need to also find that the granting of a variance will not alter the essential character of the area and maintain the reasonable use of the property.
- The proposed system is a residential system that generates an amount of energy that applicant has noted is equal to the amount consumed by the existing home. The system will generate approximately 17,497 kWh in the first year. The average residential property across the US uses approximately 10,649 kWh per year and as much as 15,000 kWh per year. The City has previously discussed that the size of a system should not generate energy in excess of the amount consumed on any given property.
- The proposed system meets the location, setback and maximum height requirements of the zoning ordinance.

- The property has two neighboring and potentially impacted properties. The visibility from the adjacent properties is going to be substantially mitigated as a result of the existing vegetative screening. The arrays are proposed to be located approximately 500 plus feet from CSAH 90. The arrays will likely be visible from CSAH 90. The City will need to consider whether or not the horizontal distance adequately mitigates the visual impact of the arrays.

The City will need to find that the proposed variance and conditional use permit meet the criteria for granting both and continues to allow the reasonable use and enjoyment of the surrounding properties. The orientation of the proposed solar system, distance from adjacent roads and the relationship to the surrounding properties aid in the mitigation of potential impacts relating to the ground mounted solar array.

Neighbor Comments:

The City has not received any written comments regarding the proposed variance and conditional use permit.

Recommendation:

Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit and variance with the following findings and conditions:

1. The proposed conditional use permit and amendment 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 include the following conditions:
 - a) The conditional use permit will allow a 686 SF ground mounted solar system that is installed in accordance with the approved plans attached hereto as Exhibit A.
 - b) The ground mounted solar system shall be constructed in accordance with all applicable zoning code, building code and other applicable standards.
3. The City finds that the criteria for granting a variance have been satisfied by the applicant. Specifically, the City finds the following:
 - a. The proposed residential ground mounted solar system will not take away from the essential character of the property or surrounding properties.
 - b. The proposed variance will allow a larger residential ground mounted solar system that provides energy solely for this residential property.
 - c. Potential impacts resulting from the larger ground mounted solar system are adequately

mitigated as a result of the properties location and proximity to surrounding properties.

- a) The applicant shall pay for all costs associated with the review and recording of the resolution granting approval of the conditional use permit and variance.

Attachments:

1. Application
2. Ground Mounted Solar Site Plan
3. Ground Mounted Solar Plans and Details
4. Pictures of Property



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Colin Buechel
Address: 1264 Energy Ln
St Paul, Minnesota 55108
Primary Phone: 651-842-9404
Email: colin.buechel@allenergysolar.com

Owner Information

Name: Aaron Ruhland
Address: 6455 Meadow Ridge
Maple Plain, Minnesota
55359
Primary Phone: 612-919-6061
Email: ruhland7@gmail.com

Property Address:

PID:

Planning Application Type: Variance

Description:

Supporting Documents: Building Plans, Construction Plans

Fees:

Paid \$2000.00 via check #26797

Signature:



1264 Energy Lane
St. Paul, MN 55108
www.allenergysolar.com

September 14, 2021

Dear City of Independence,

Aaron Ruhland lives at 6455 Meadow Ridge. He is seeking to install a ground mounted solar photovoltaic (PV) system on the property.

Minnesota §462.357, subd. 6, states that inadequate access to direct sunlight for solar energy systems is a practical difficulty. Due to the orientation of the residence there is limited access to direct sunlight on the rooftop. In order to maximize production of the system on the property, All Energy Solar has designed a ground mounted solar PV system to go on the South end of the property to maximize solar PV production. The solar will be interconnected to a meter that is located at the residence. The array will not be visible from Meadow Ridge.

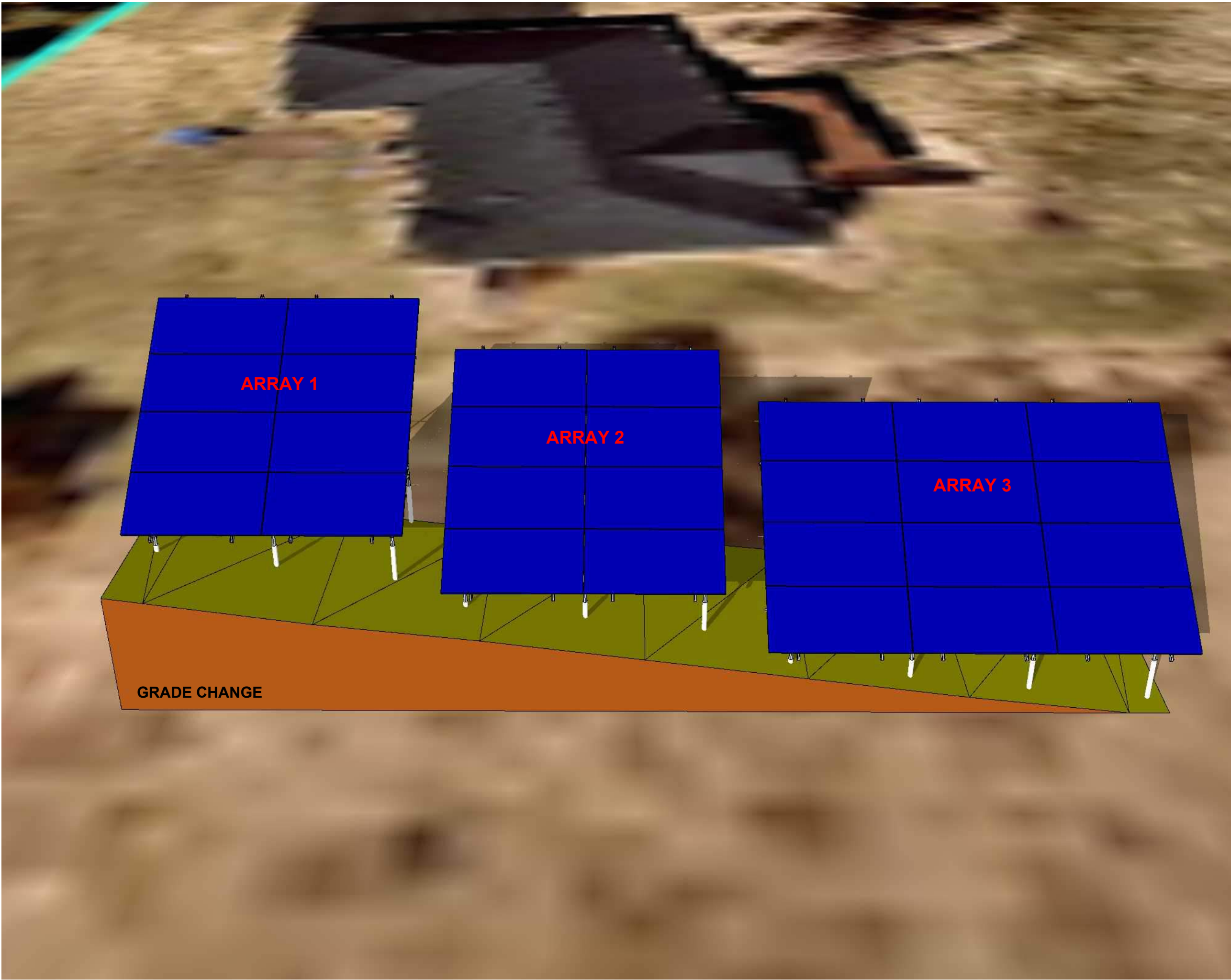
Due to the largest roof planes of the residence being oriented East and West, the only ideal roof plane to put solar panels is the South facing roof plane on the South end of the house. Additionally, imposing the required fire access setbacks included in the state building code make the area available for solar panels minimal.

The residence was built in 2005, but purchased by the current owner in 2008, meaning they could not design the residence to optimize a rooftop solar PV system.

Our design meets the 2020 State of Minnesota Building code; however, it does not meet one of the City of Independence's requirements outlined in Sec. 515.11 of Independence's Zoning Ordinance. Specifically Subd 5, letter h which states, "Ground-mounted systems shall have a maximum area of 500 SF.". The current area that the system covers, including the gaps between arrays, is 797 sqft.

This proposed system will not impact the character of the neighborhood and will not affect the welfare, safety or health of the community. The proposed system will help Aaron Ruhland offset his electricity use and contribute to the State of Minnesota's clean energy goals.

Sincerely,
All Energy Solar



COMPANY INFORMATION

ALL ENERGY SOLAR, INC
1264 ENERGY LANE
ST PAUL, MN 55108
(800) 620-3370
INFO@ALLENERGYSOLAR.COM

CLIENT INFORMATION

AARON RUHLAND
6455 MEADOW RIDGE
INDEPENDENCE, MN 55359
PO 46664

SYSTEM DETAILS

- NOTES:
- 1. (28) LONGI 445W
MODULES = 12.46kW
 - 2. MOUNTING TYPE:
GROUND MOUNT
 - 3. (28) ENPHASE IQ7A
INVERTER(S)
 - 4. ARRAY 1:
35° TILT, 180° AZIMUTH
 - 5. ARRAY 2:
35° TILT, 180° AZIMUTH
 - 6. ARRAY 3:
35° TILT, 180° AZIMUTH

AZIMUTH



REVISIONS

LAST: 08/16/21 BX

PROJECT-PAGE TITLE

COVER PAGE

PAGE NUMBER

A0



COMPANY INFORMATION

ALL ENERGY SOLAR, INC
1264 ENERGY LANE
ST PAUL, MN 55108
(800) 620-3370
INFO@ALLENERGYSOLAR.COM

CLIENT INFORMATION

AARON RUHLAND
6455 MEADOW RIDGE
INDEPENDENCE, MN 55359
PO 46664

SYSTEM DETAILS

- NOTES:
1. (28) ENPHASE IQ7A
INVERTER(S) = 9.772kW AC
 2. ARRAY 1:
180° AZIMUTH, 35° TILT
(8) LONGI 445W = 3.56kW
 3. ARRAY 2:
180° AZIMUTH, 35° TILT
(8) LONGI 445W = 3.56kW
 4. ARRAY 3:
180° AZIMUTH, 35° TILT
(12) LONGI 445W = 5.34kW

ACCOUNT: 150-1683-2911
PREMISE:
METER: 37426319

AZIMUTH



REVISIONS

LAST: 08/16/21 BX

PROJECT-PAGE TITLE

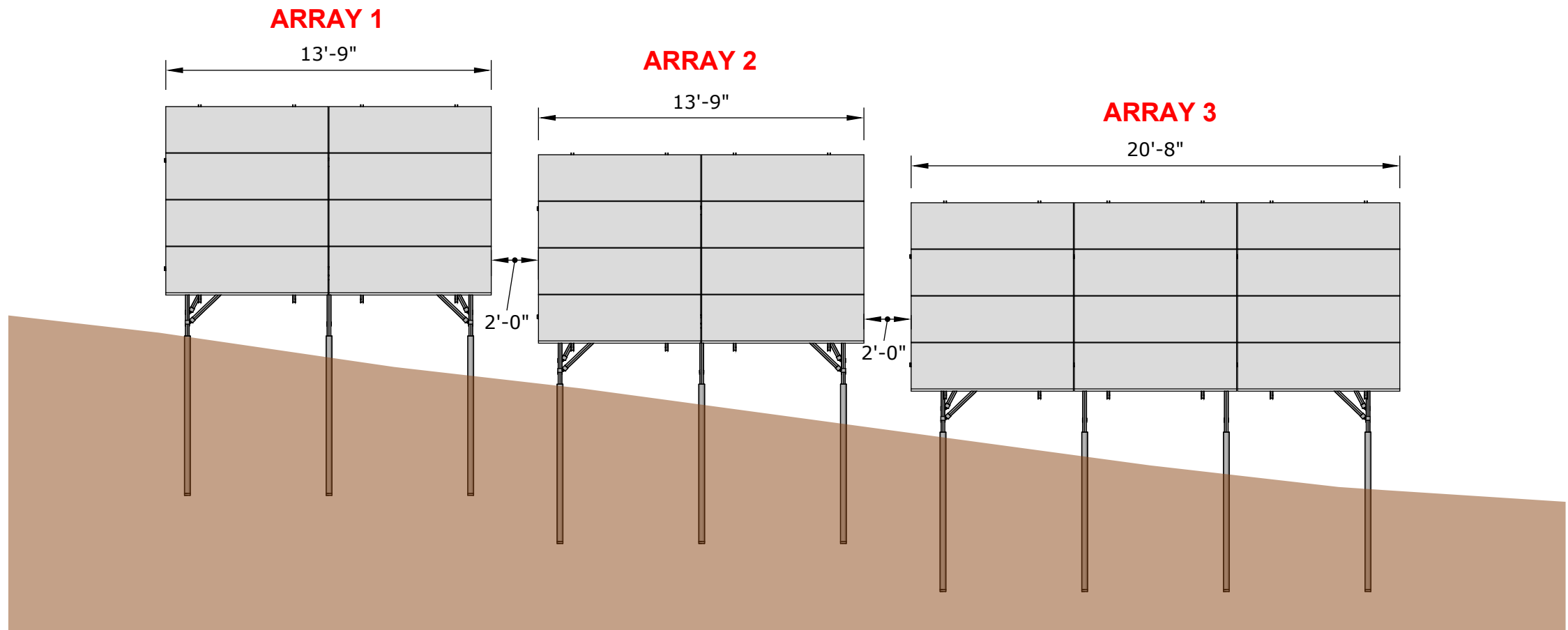
PROPERTY MAP

PAGE NUMBER

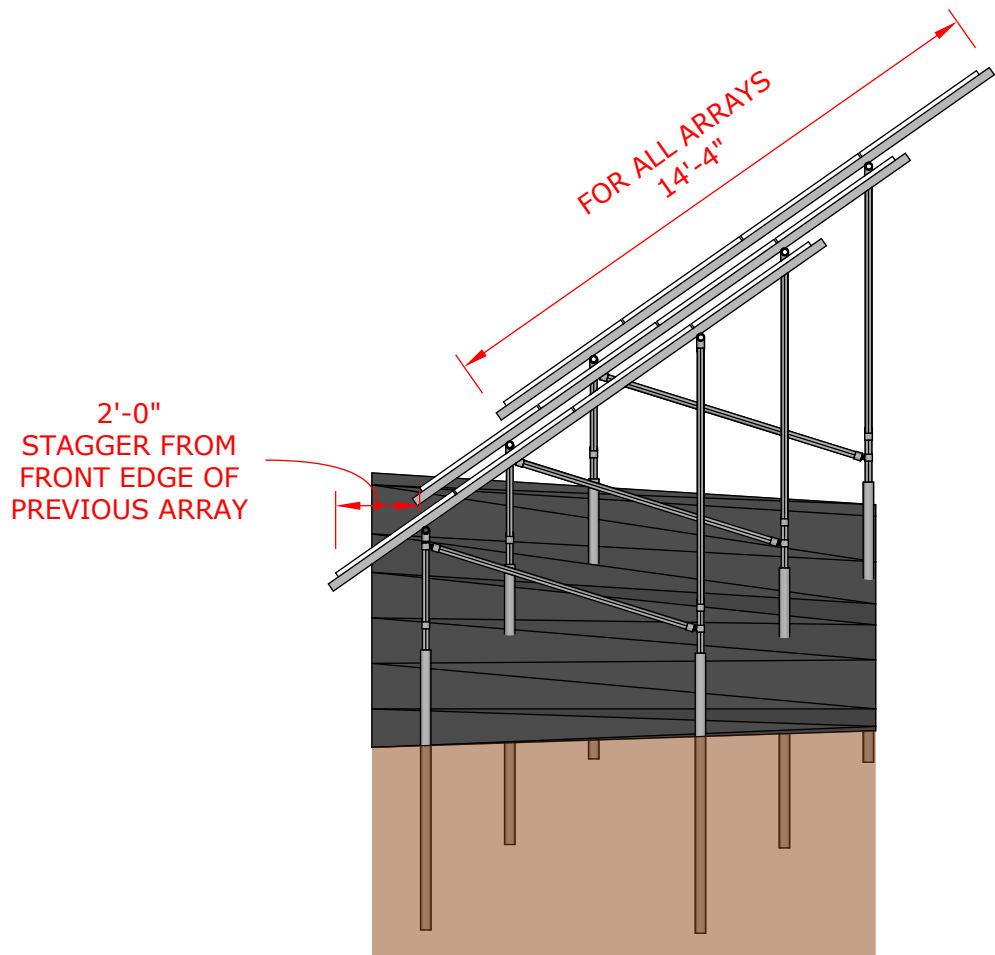
A1



SOUTH ELEVATION



EAST ELEVATION



COMPANY INFORMATION

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ST PAUL, MN 55108
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INFO@ALLENENERGYSOLAR.COM

CLIENT INFORMATION

AARON RUHLAND
6455 MEADOW RIDGE
INDEPENDENCE, MN 55359
PO 46664

SYSTEM DETAILS

NOTES:

1. ELEVATIONS MAY VARY DEPENDING ON GROUND ELEVATION BUT ARE DRAWN TO THE BEST OF OUR ABILITY

2. 797 SQ FT

REVISIONS

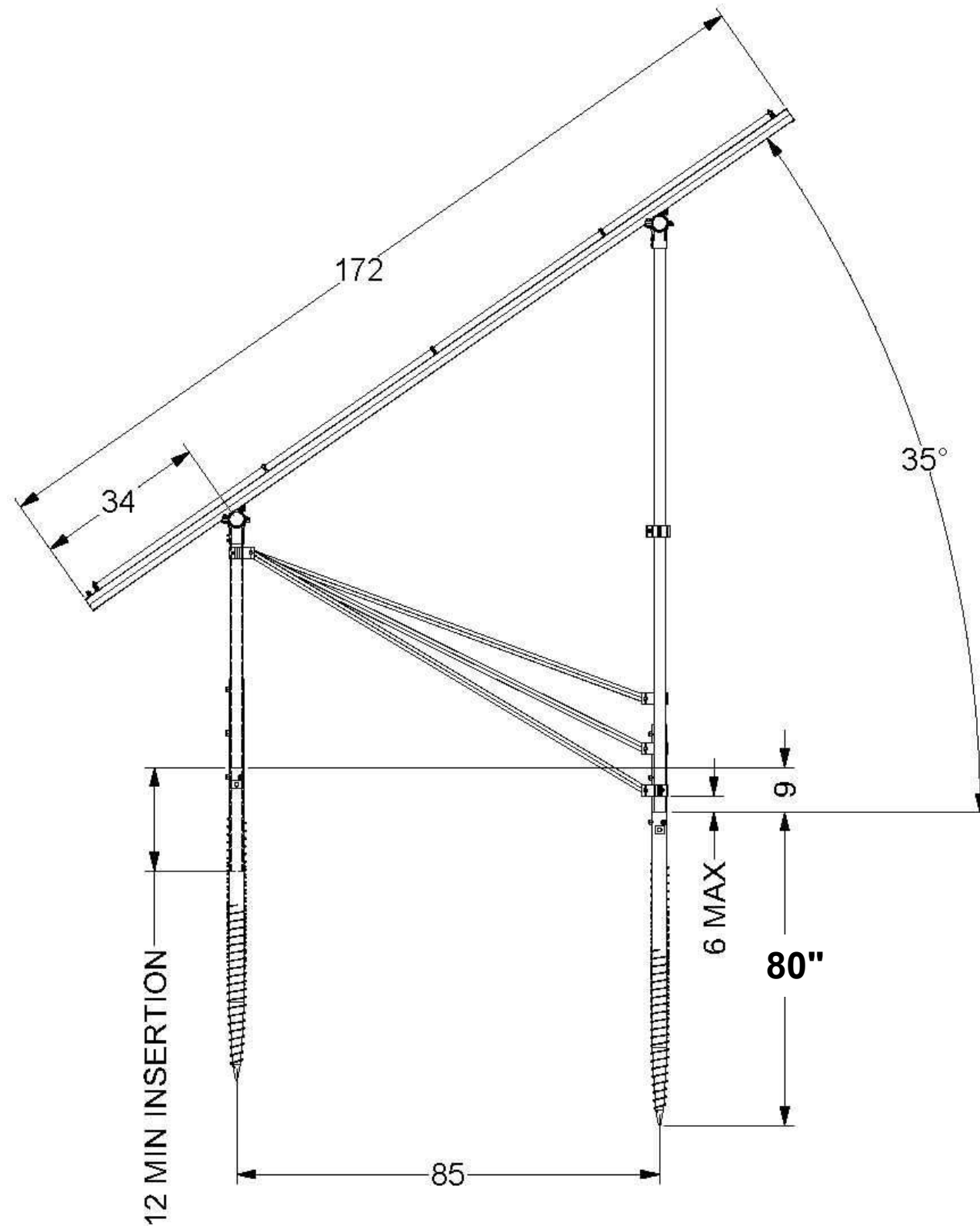
LAST: 08/16/21 BX

PROJECT-PAGE TITLE

ELEVATION
DRAWINGS

PAGE NUMBER

A2



COMPANY INFORMATION

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CLIENT INFORMATION

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PO 46664

SYSTEM DETAILS

NOTES:

1. ELEVATIONS MAY VARY DEPENDING ON GROUND ELEVATION BUT ARE DRAWN TO THE BEST OF OUR ABILITY

2. 797 SQ FT

REVISIONS

LAST: 09/15/21 BX

PROJECT-PAGE TITLE

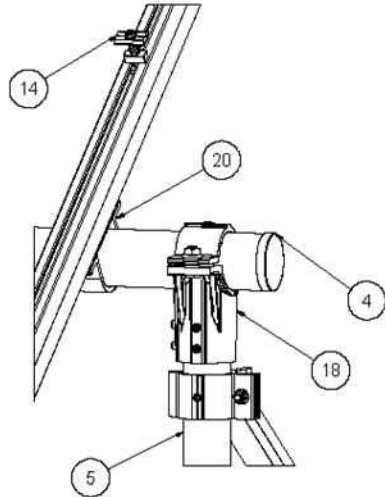
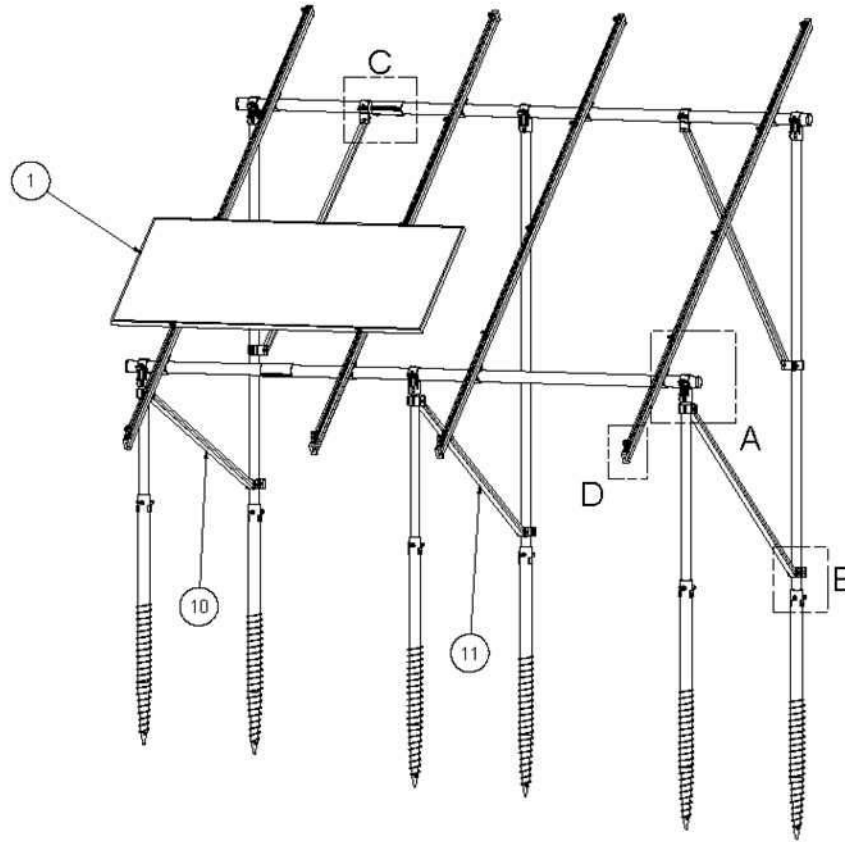
GROUND MOUNT
DETAILS

PAGE NUMBER

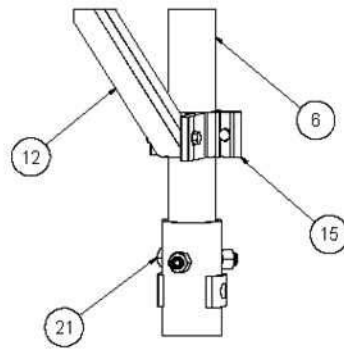
A3

NOTES: UNLESS OTHERWISE SPECIFIED

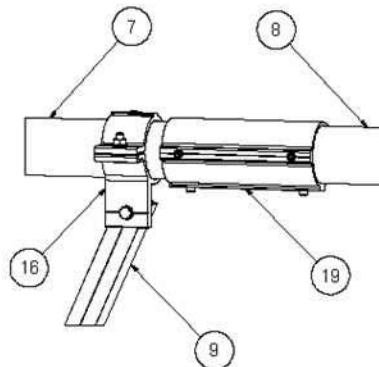
1. THIS DRAWING IS NOT FOR CONSTRUCTION UNTIL ENGINEERING HAS REVIEWED AND STAMPED THIS DOCUMENT.
2. DIMENSIONS SHOWN ARE INCHES.
3. THE SELF-BONDING SYSTEM AND SINGLE GROUND LUG IS FOR USE WITH PV MODULES THAT HAVE A MAXIMUM SERIES FUSE RATING OF 30A.
4. MATERIALS ARE AS SPECIFIED OR EQUIVALENT:
HARDWARE: 304 STAINLESS STEEL
FABRICATED EXTRUDED PARTS: 6005-T5 ALUMINUM ALLOY
FABRICATED DIE CAST PARTS: ANSI/AA A380 ALUMINUM ALLOY
STEEL PIPE: SCHEDULE 40 GALVANIZED
ALUMINUM PIPE: SCHEDULE 10 ANODIZED
5. THE MAXIMUM PERMISSIBLE LENGTH OF ANY STRUCTURE SHALL BE 200 FT. FOR SYSTEMS USING A SHARED RAIL CONFIGURATION, A THERMAL BREAK IS REQUIRED IN THE RAIL EVERY 40 FT. PER THE DRAWING DETAILS.
6. 4LX2-35DEG-GSM-STR.
7. 1 OF 2 ARRAY TYPES.
8. 2 ARRAYS TOTAL.



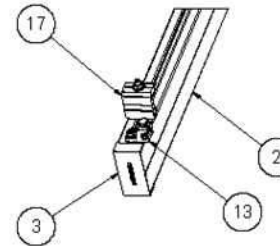
DETAIL A



DETAIL B



DETAIL C



DETAIL D

PARTS PER ARRAY

21	K10423-063	ANCHOR, SCREWAUGER KIT, L=63	6
20	K10343-004	2.5" U-CLAMP KIT	8
19	K10342-001	2.5" PIPE SPLICE KIT	2
18	K10341-002	2.5" PIPE TEE KIT	6
17	K10224-135	END CLAMP KIT WITH COLLAR	8
16	K10222-001	2.5" PIPE CLAMP KIT	2
15	K10219-001	2" AL PIPE CLAMP KIT	8
14	K10180-001	GROUNDING MID-CLAMP KIT WITH T COLLAR BOLT AND GROUNDING BASE	12
13	K10179-002	SELF-GROUNDING LUG KIT	1
12	A50184-094	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=94	1
11	A50184-090	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=90	1
10	A50184-086	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=86	1
9	A50184-066	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=66	2
8	A21168-112	PIPE, HSS, 2.875" OD X 12 GAUGE, L=112	2
7	A21168-040	PIPE, HSS, 2.875" OD X 12 GAUGE, L=40	2
6	A21165-138	PIPE, HSS, 2.375" OD X 12 GAUGE, L=138	3
5	A21165-069	PIPE, HSS, 2.375" OD X 12 GAUGE, L=69	3
4	A20380-001	2.5" PIPE END CAP	4
3	A20297-001	END CAP, HR300, GRAY	8
2	A20288-172	RAIL, HR300(SUNTURF), L=172	4
1		PANEL: 2094X1038X35mm	8

ITEM	PART NUMBER	DESCRIPTION	QTY
SEE BOM			
Free Angle Brackets			
14800 NE 65TH STREET, VANCOUVER WA 98062			
SunModo Corp.			
14800 NE 65TH STREET, VANCOUVER WA 98062			
TITLE: 4LX2-35DEG-GSM-STR			
D: 202249.AAR.1			
SCALE: 1/20 SHEET 1 of 3			



COMPANY INFORMATION

ALL ENERGY SOLAR, INC
1264 ENERGY LANE
ST PAUL, MN 55108
(800) 620-3370
INFO@ALLENERGYSOLAR.COM

CLIENT INFORMATION

AARON RUHLAND
6455 MEADOW RIDGE
INDEPENDENCE, MN 55359
PO 46664

SYSTEM DETAILS

SNAP-N-RACK MOUNTING HARDWARE:

1. (20) TOTAL FOOTINGS
2. SEE CONFIGURATION IN DRIVE FOR ADDITIONAL MATERIALS

***STRINGING TO BE DETERMINED ON SITE**

REVISIONS

LAST: 09/15/21 BX

PROJECT-PAGE TITLE

ARRAY 1-2 RAIL
DIAGRAM

PAGE NUMBER

A4

(28) LONGI LR4-72HPH-445M
MODULES

MAX CIRCUIT
LENGTH (120/240V)

15A
BREAKER

20A
BREAKER

(28) ENPHASE IQ7A INVERTER(S)

ENPHASE IQ7

12

16

CIRCUITS:

ENPHASE IQ7+

9

13

(2) CIRCUIT(S) OF 8 MICROS

ENPHASE IQ7X

9

12

(2) CIRCUIT(S) OF 6 MICROS

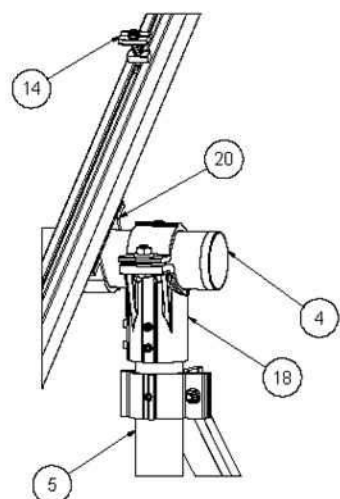
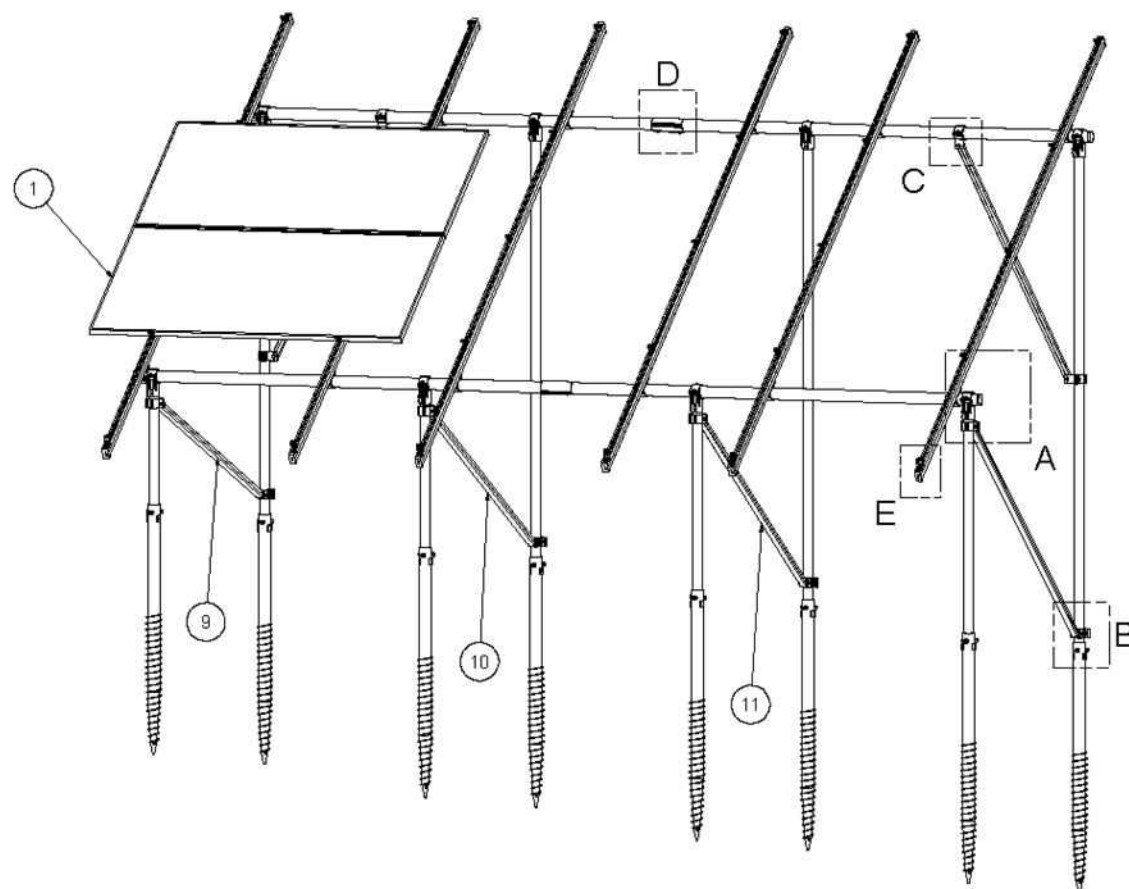
ENPHASE IQ7A

8

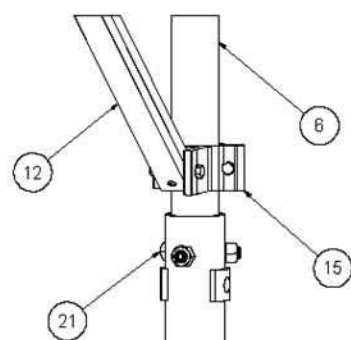
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NOTES: UNLESS OTHERWISE SPECIFIED

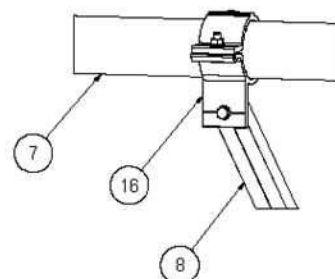
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FABRICATED DIE CAST PARTS: ANSI/AA A380 ALUMINUM ALLOY
STEEL PIPE: SCHEDULE 40 GALVANIZED
ALUMINUM PIPE: SCHEDULE 10 ANODIZED
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6. 4LX3-35DEG-GSM-STR.
7. 2 OF 2 ARRAY TYPES.
8. 2 ARRAYS TOTAL.



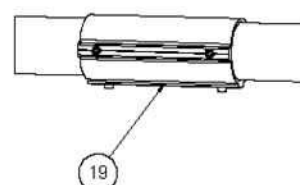
DETAIL A



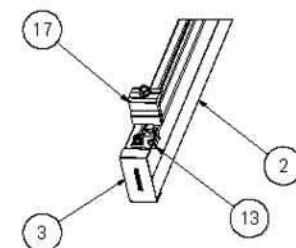
DETAIL B



DETAIL C



DETAIL D



DETAIL E

21	K10423-063	ANCHOR, SCREWAUGER KIT, L=63	8
20	K10343-004	2.5" U-CLAMP KIT	12
19	K10342-001	2.5" PIPE SPLICE KIT	2
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15	K10219-001	2" AL PIPE CLAMP KIT	10
14	K10180-001	GROUNDING MID-CLAMP KIT WITH T COLLAR BOLT AND GROUNDING BASE	18
13	K10179-002	SELF-GROUNDING LUG KIT	1
12	A50164-100	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=100	1
11	A50164-094	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=94	1
10	A50164-090	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=90	1
9	A50164-086	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=86	1
8	A50164-066	1.5"x1.5"x0.083" GAL STEEL TUBE BRACE, L=66	2
7	A21168-112	PIPE, HSS, 2.875" OD X 12 GAUGE, L=112	4
6	A21165-138	PIPE, HSS, 2.375" OD X 12 GAUGE, L=138	4
5	A21165-069	PIPE, HSS, 2.375" OD X 12 GAUGE, L=69	4
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3	A20297-001	END CAP, HR300, GRAY	12
2	A20288-172	RAIL, HR300(SUNTURF), L=172	8
1		PANEL: 2094X1038X35mm	12
ITEM	PART NUMBER	DESCRIPTION	QTY
SEE BOM			
SunModo Corp.			
14800 NE 65TH STREET, VANCOUVER WA 98682			
TITLE: 4LX3-35DEG-GSM-STR			
D: 202249.AAR.1			
SCALE: 1/20 SHEET 1 of 3			



COMPANY INFORMATION

ALL ENERGY SOLAR, INC
1264 ENERGY LANE
ST PAUL, MN 55108
(800) 620-3370
INFO@ALLENERGYSolar.COM

CLIENT INFORMATION

AARON RUHLAND
6455 MEADOW RIDGE
INDEPENDENCE, MN 55359
PO 46664

SYSTEM DETAILS

SNAP-N-RACK MOUNTING HARDWARE:

1. (20) TOTAL FOOTINGS
2. SEE CONFIGURATION IN DRIVE FOR ADDITIONAL MATERIALS

***STRINGING TO BE DETERMINED ON SITE**

REVISIONS

LAST: 09/15/21 BX

PROJECT-PAGE TITLE

ARRAY 3 RAIL
DIAGRAM

PAGE NUMBER

A5

(28) LONGI LR4-72HPH-445M
MODULES

MAX CIRCUIT
LENGTH (120/240V)

15A
BREAKER

20A
BREAKER

(28) ENPHASE IQ7A INVERTER(S)

ENPHASE IQ7

12

16

CIRCUITS:

ENPHASE IQ7+

9

13

(2) CIRCUIT(S) OF 8 MICROS

ENPHASE IQ7X

9

12

(2) CIRCUIT(S) OF 6 MICROS

ENPHASE IQ7A

8

11



Caution: Photovoltaic system performance predictions calculated by PVWatts® include many inherent assumptions and uncertainties and do not reflect variations between PV technologies nor site-specific characteristics except as represented by PVWatts® inputs. For example, PV modules with better performance are not differentiated within PVWatts® from lesser performing modules. Both NREL and private companies provide more sophisticated PV modeling tools (such as the System Advisor Model at <https://sam.nrel.gov>) that allow for more precise and complex modeling of PV systems.

The expected range is based on 30 years of actual weather data at the given location and is intended to provide an indication of the variation you might see. For more information, please refer to this NREL report: The Error Report.

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The energy output range is based on analysis of 30 years of historical weather data for nearby , and is intended to provide an indication of the possible interannual variability in generation for a Fixed (open rack) PV system at this location.

RESULTS

6,844 kWh/Year*

System output may range from 6,496 to 7,000 kWh per year near this location.

Month	Solar Radiation (kWh / m ² / day)	AC Energy (kWh)	Value (\$)
January	1.59	260	30
February	2.38	357	41
March	3.73	603	69
April	4.75	712	82
May	5.41	809	93
June	6.23	879	101
July	6.52	928	107
August	5.40	771	88
September	4.35	619	71
October	2.80	428	49
November	1.78	272	31
December	1.29	205	24
Annual	3.85	6,843	\$ 786

Location and Station Identification

Requested Location	6455 Meadow Ridge Maple Plain, MN 55359
Weather Data Source	Lat, Lon: 45.05, -93.7 1.3 mi
Latitude	45.05° N
Longitude	93.7° W

PV System Specifications (Residential)

DC System Size	6.23 kW
Module Type	Standard
Array Type	Fixed (roof mount)
Array Tilt	20°
Array Azimuth	87°
System Losses	14.08%
Inverter Efficiency	96%
DC to AC Size Ratio	1.2

Economics

Average Retail Electricity Rate	0.115 \$/kWh
---------------------------------	--------------

Performance Metrics

Capacity Factor	12.5%
-----------------	-------



Caution: Photovoltaic system performance predictions calculated by PVWatts® include many inherent assumptions and uncertainties and do not reflect variations between PV technologies nor site-specific characteristics except as represented by PVWatts® inputs. For example, PV modules with better performance are not differentiated within PVWatts® from lesser performing modules. Both NREL and private companies provide more sophisticated PV modeling tools (such as the System Advisor Model at <https://sam.nrel.gov>) that allow for more precise and complex modeling of PV systems.

The expected range is based on 30 years of actual weather data at the given location and is intended to provide an indication of the variation you might see. For more information, please refer to this NREL report: The Error Report.

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The energy output range is based on analysis of 30 years of historical weather data for nearby , and is intended to provide an indication of the possible interannual variability in generation for a Fixed (open rack) PV system at this location.

RESULTS

7,014 kWh/Year*

System output may range from 6,658 to 7,174 kWh per year near this location.

Month	Solar Radiation (kWh / m ² / day)	AC Energy (kWh)	Value (\$)
January	1.73	285	33
February	2.65	397	46
March	3.92	632	73
April	4.81	719	83
May	5.36	797	91
June	6.32	888	102
July	6.68	945	108
August	5.61	797	91
September	4.38	619	71
October	2.79	423	49
November	1.86	285	33
December	1.42	228	26
Annual	3.96	7,015	\$ 806

Location and Station Identification

Requested Location	6455 Meadow Ridge Maple Plain, MN 55359
Weather Data Source	Lat, Lon: 45.05, -93.7 1.3 mi
Latitude	45.05° N
Longitude	93.7° W

PV System Specifications (Residential)

DC System Size	6.23 kW
Module Type	Standard
Array Type	Fixed (roof mount)
Array Tilt	20°
Array Azimuth	267°
System Losses	14.08%
Inverter Efficiency	96%
DC to AC Size Ratio	1.2

Economics

Average Retail Electricity Rate	0.115 \$/kWh
---------------------------------	--------------

Performance Metrics

Capacity Factor	12.9%
-----------------	-------



GO BIG ON TURF

SunTurf™ Ground Mount System



SunModo offers the next generation Ground Mount System with SunTurf™. The streamlined design combines the strength of Helio Rails with steel pipes to create the perfect ground mount solution.

SunTurf™ is ideal for solar installers looking for a durable and cost-effective system that can accommodate a wide variety of soil conditions.

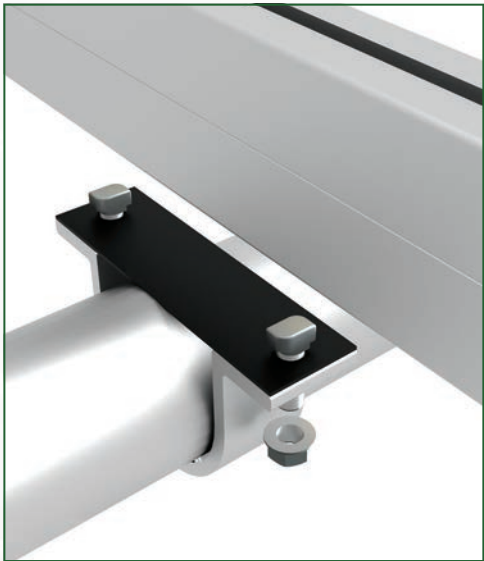
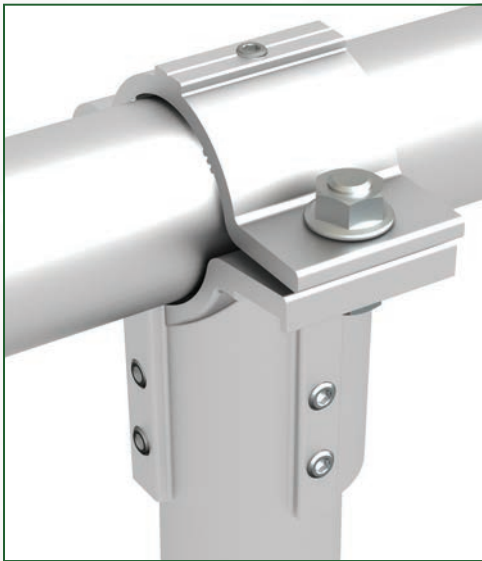
The SunTurf™ Ground Mount Advantage

- ✓ Easily scalable from kilowatts to multimewatts PV Arrays.
- ✓ Foundation design solution for every soil condition.
- ✓ Online configuration tool available to streamline design process.
- ✓ Components optimized for strength, durability and fast installation.
- ✓ UL 2703 Listed by Intertek.

Key Features of SunTurf™ Ground Mount System

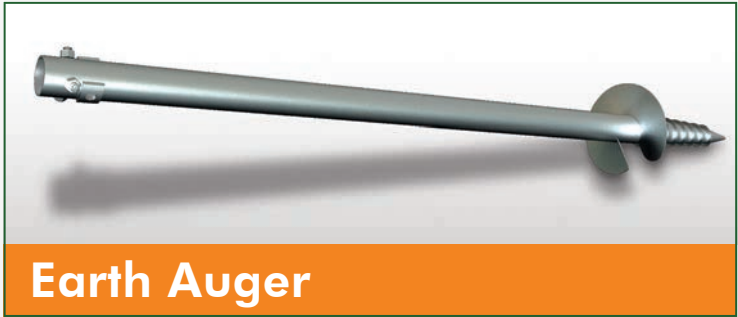


SunTurf™ Ground Mount System easily integrate Helio Rails with Schedule 40 steel pipes. No drilling is required to attach the aluminum rails to the horizontal pipe. Optional bracing can provide additional structural rigidity for sites with high snow or wind load conditions. Anchor any ground mount installation using one of our fountain types including helical piles, precast ballasts and concrete piers.



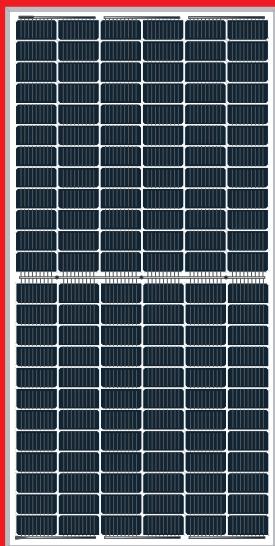
Augers and Ground Screws

Our augers are suitable for use in weak to moderate strength soils and areas with a high-water table. Our ground screws are ideal for use in hard packed earth or soils with large amounts of cobble and gravel.



Technical Data

Application	Ground Mount
Material	High grade aluminum, galvanized steel and 304 stainless steel hardware
Module Orientation	Portrait and Landscape
Tilt Angle	Range between 10 to 50 degrees
Foundation Types	Post in concrete, helical earth auger, ground screw anchor and ballast
Structural Integrity	Stamped engineering letters available
Certificate	UL2703 listed by ETL
Warranty	25 years

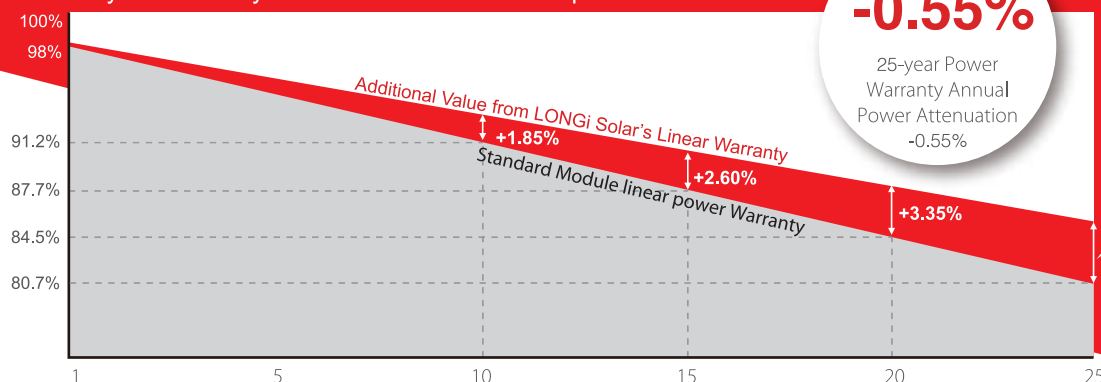


LR4-72HPH 425~455M



**High Efficiency
Low LID Mono PERC with
MBB & Half-cut Technology**

12-year Warranty for Materials and Processing;
25-year Warranty for Extra Linear Power Output



-0.55%

25-year Power
Warranty Annual
Power Attenuation
-0.55%

+4.10%

Complete System and Product Certifications

IEC 61215, IEC 61730, UL 61730

ISO 9001:2008: ISO Quality Management System

ISO 14001: 2004: ISO Environment Management System

OHSAS 18001: 2007 Occupational Health and Safety



* Specifications subject to technical changes and tests.
LONGi Solar reserves the right of interpretation.

Positive power tolerance (0 ~ +5W) guaranteed

High module conversion efficiency (up to 20.9%)

Slower power degradation enabled by Low LID Mono PERC technology: first year <2%,
0.55% year 2-25

Solid PID resistance ensured by solar cell process optimization and careful module BOM
selection

Reduced resistive loss with lower operating current

Higher energy yield with lower operating temperature

Reduced hot spot risk with optimized electrical design and lower operating current

LONGi Green Energy Technology Co., Ltd.

LONGi

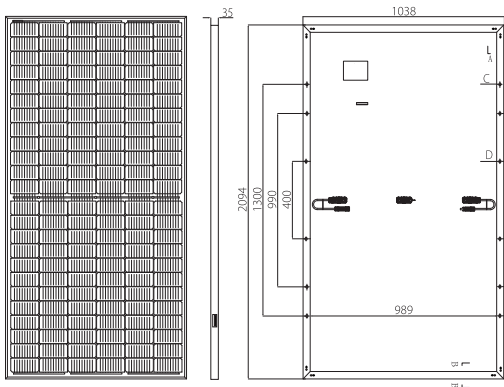
Address: Level 8 / 124 Walker Street North Sydney NSW 2060 Australia

Tel: +61 2 8484 5806 E-mail: info@longi-solar.com.au Website: www.long-solar.com.au

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LR4-72HPH 425~455M

Design (mm)



Units: mm(inch)
Tolerance:
Length: ± 2 mm
Width: ± 2 mm
Height: ± 1 mm
Pitch: ± 1 mm

Mechanical Parameters

Cell Orientation: 144 (6x24)
Junction Box: IP68, three diodes
Output Cable: 4mm², 1400mm in length
Connector: Staubli EVO2
Glass: Single glass
3.2mm coated tempered glass
Frame: Anodized aluminum alloy frame
Weight: 23.5kg
Dimension: 2094x1038x35mm
Packaging: 30pcs per pallet
150pcs per 20'GP
660pcs per 40'HC

Operating Parameters

Operational Temperature: -40 °C ~ +85 °C
Power Output Tolerance: 0 ~ +5 W
Voc and Isc Tolerance: $\pm 3\%$
Maximum System Voltage: DC1500V (IEC/UL)
Maximum Series Fuse Rating: 20A
Nominal Operating Cell Temperature: 45 ± 2 °C
Safety Protection Class: Class II
Fire Rating: Class C according to UL790

Electrical Characteristics

Test uncertainty for Pmax: $\pm 3\%$

Model Number	LR4-72HPH-425M		LR4-72HPH-430M		LR4-72HPH-435M		LR4-72HPH-440M		LR4-72HPH-445M		LR4-72HPH-450M		LR4-72HPH-455M	
Testing Condition	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT	STC	NOCT
Maximum Power (Pmax/W)	425	317.4	430	321.1	435	324.9	440	328.6	445	332.3	450	336.1	455	339.8
Open Circuit Voltage (Voc/V)	48.3	45.3	48.5	45.5	48.7	45.7	48.9	45.8	49.1	46.0	49.3	46.2	49.5	46.4
Short Circuit Current (Isc/A)	11.23	9.08	11.31	9.15	11.39	9.21	11.46	9.27	11.53	9.33	11.60	9.38	11.66	9.43
Voltage at Maximum Power (Vmp/V)	40.5	37.7	40.7	37.9	40.9	38.1	41.1	38.3	41.3	38.5	41.5	38.6	41.7	38.8
Current at Maximum Power (Imp/A)	10.50	8.42	10.57	8.47	10.64	8.53	10.71	8.59	10.78	8.64	10.85	8.70	10.92	8.75
Module Efficiency(%)	19.6		19.8		20.0		20.2		20.5		20.7		20.9	

STC (Standard Testing Conditions): Irradiance 1000W/m², Cell Temperature 25 °C, Spectra at AM1.5

NOCT (Nominal Operating Cell Temperature): Irradiance 800W/m², Ambient Temperature 20 °C, Spectra at AM1.5, Wind at 1m/s

Temperature Ratings (STC)

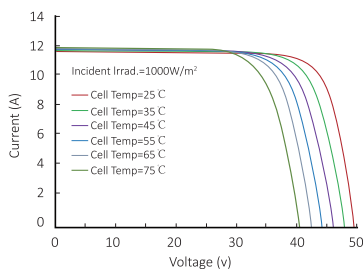
Temperature Coefficient of Isc	+0.048%/°C
Temperature Coefficient of Voc	-0.270%/°C
Temperature Coefficient of Pmax	-0.350%/°C

Mechanical Loading

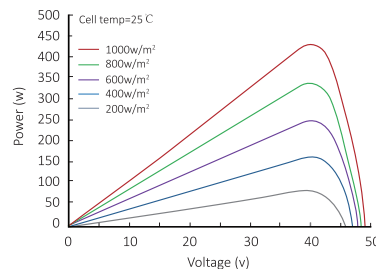
Front Side Maximum Static Loading	5400Pa
Rear Side Maximum Static Loading	2400Pa
Hailstone Test	25mm Hailstone at the speed of 23m/s

I-V Curve

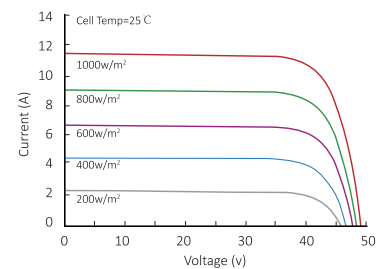
Current-Voltage Curve (LR4-72HPH-440M)



Power-Voltage Curve (LR4-72HPH-440M)



Current-Voltage Curve (LR4-72HPH-440M)



LONGi

LONGi Green Energy Technology Co., Ltd.

Address: Level 8 / 124 Walker Street North Sydney NSW 2060 Australia
Tel: +61 2 8484 5806 E-mail: info@longi-solar.com.au Website: www.long-solar.com.au

Note: Due to continuous technical innovation, R&D and improvement, technical data above mentioned may be of modification accordingly. LONGi have the sole right to make such modification at anytime without further notice; Demanding party shall request for the latest datasheet for such as contract need, and make it a consisting and binding part of lawful documentation duly signed by both parties.

City of Independence

Request for Seven Minor Subdivisions to Permit Lot Line Rearrangements Necessary for the Highway 12/County Road 92 N. Project

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	October 19, 2021
<i>Applicants:</i>	Hennepin County
<i>Owners:</i>	Varies
<i>Location:</i>	Generally Located Near the Intersection of County Road 92 and Highway 12 Intersections

Request:

Hennepin County (Applicant) is requesting the following minor subdivisions relating to the Highway 12/County Road 92 improvement project in Independence, MN:

- a. 7455 Hwy 12 (PID No. 16-118-24-43-0002)
- b. 7525 Hwy 12 (PID No. 16-118-24-43-0001)
- c. 7625 Hwy 12 (PID No. 16-118-24-31-0002)
- d. 7735 Hwy 12 (PID No. 16-118-24-34-0002)
- e. 7865 Hwy 12 (PID No. 16-118-24-32-0005)
- f. 7899 Hwy 12 (PID No. 16-118-24-32-0001)
- g. 7950 Egret Dr. (PID No. 16-118-24-32-0003)

Property/Site Information:

The subject properties are generally located at the intersection of County Road 92 N. and Highway 12. The properties all have the following site characteristics:

Property Information: **All listed above.**

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

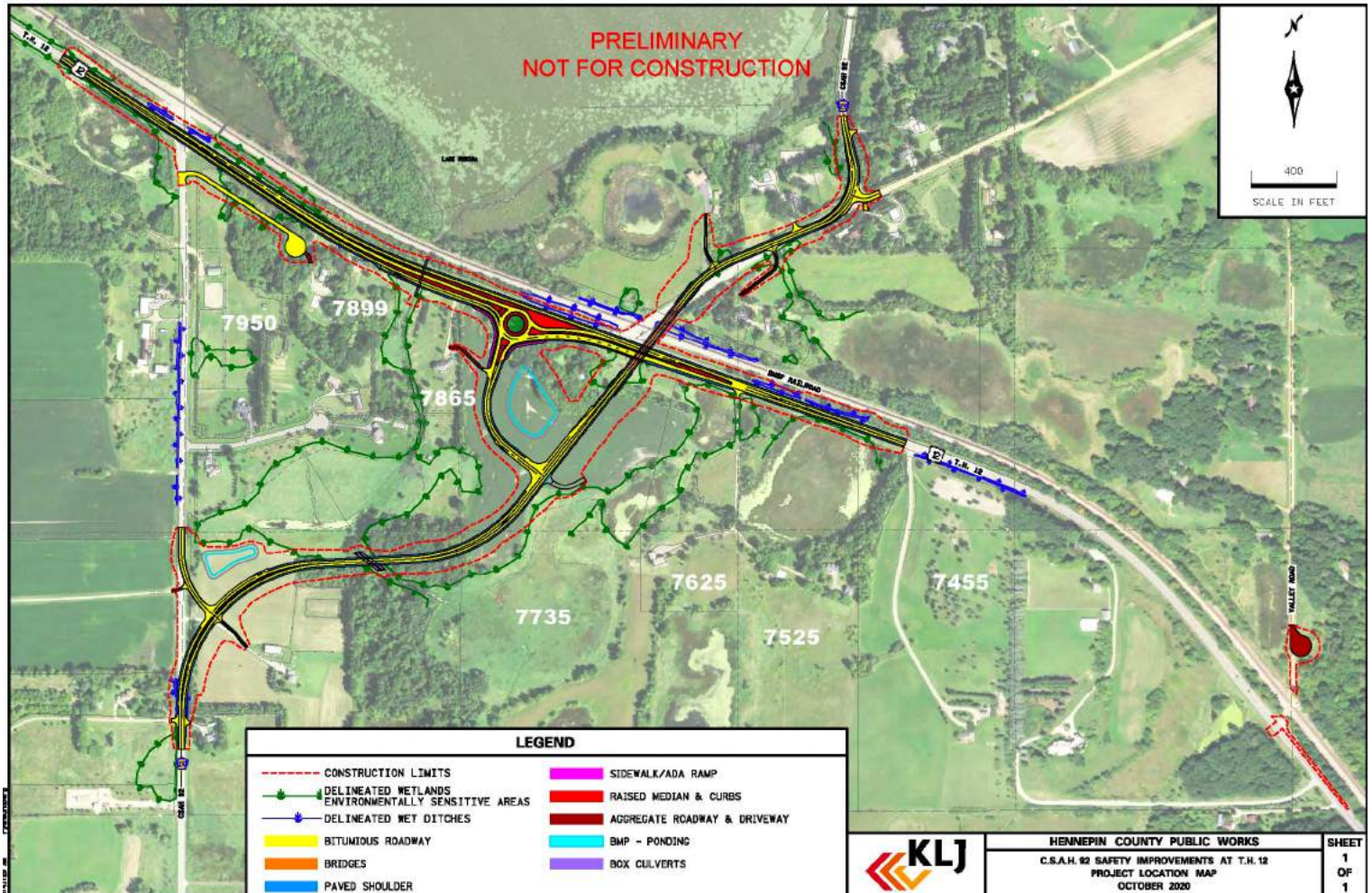
Discussion:

Hennepin County has been working on the acquisition of properties associated with the Highway 12/CSAH 92 realignment and overpass project. The properties have now been acquired by the County, but a formal approval of the actual subdivision is still required by the City. The

subdivisions are unique in that the properties being broken off will be used for right of way (combined with the existing right of way) for the state highway or county road. No new properties are being created as a result of the requested subdivisions.

The City has reviewed the requested subdivisions and found them to be in keeping with the preliminarily reviewed property acquisitions necessary to construct the new road improvements. The detail of each subdivision is provided on the attached surveys for each parcel listed above.

Address/Project Map



Other Considerations:

1. All of properties to be subdivided are part of the overall Highway 12/County Road 92 N. realignment/overpass project.

2. The City does not have an administrative or other process for considering the subdivision of property. All subdivisions are required to go through the requisite process.
3. No new parcels are being created as a result of the proposed subdivisions. The 7735 Highway 12 property will have excess land associated with the right of way. This property will be owned by Hennepin County in the after condition.
4. No new non-conformities are being created as a result of the proposed subdivisions. The frontage requirements, applicable setbacks and minimum lot sizes are not being compromised in the after condition as a result of the proposed subdivisions.

Summary:

The requested minor subdivisions of the subject properties do not appear to create any adverse conditions in the after condition. The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance.

Neighbor Comments:

The City has not received any written or verbal comments regarding the proposed subdivisions.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested Minor Subdivisions. Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be included:

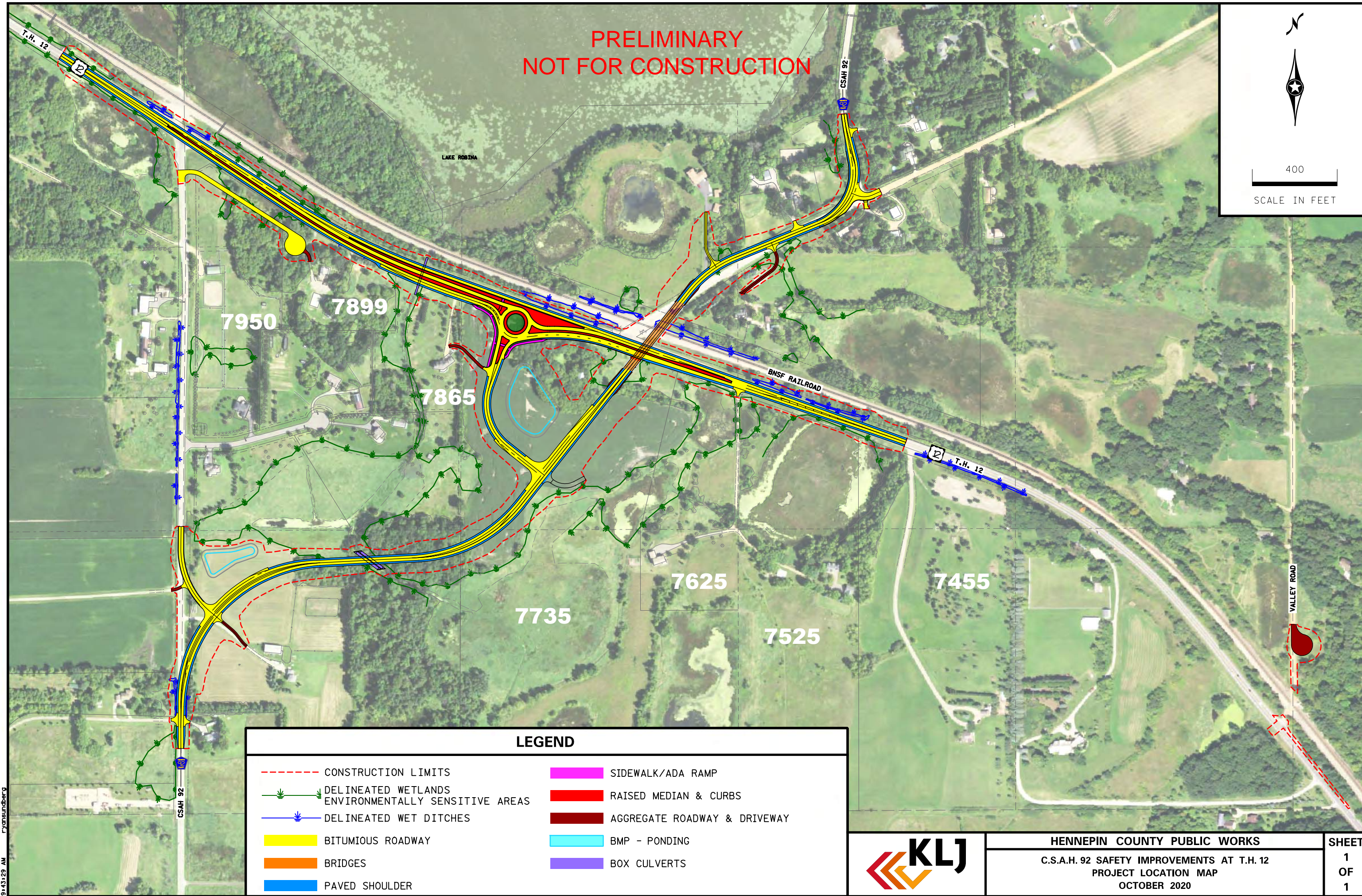
1. The proposed Minor Subdivisions meet all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning and Subdivision Ordinance.
2. City Council approval of the Minor Subdivision is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the proposed subdivisions which includes the following:
 - Prepare the requisite documents and legal descriptions needed to record all documents with Hennepin County.

3. The Applicant shall execute all applicable documents to allow recording of the minor subdivisions within six months from the date of the City Council approval.

Attachments:

1. Applications
2. Proposed Minor Subdivision Survey Exhibits

PRELIMINARY
NOT FOR CONSTRUCTION



LEGEND

- | | |
|---------------------------------|------------------------------|
| --- CONSTRUCTION LIMITS | SIDEWALK/ADA RAMP |
| DELINEATED WETLANDS | RAISED MEDIAN & CURBS |
| ENVIRONMENTALLY SENSITIVE AREAS | AGGREGATE ROADWAY & DRIVEWAY |
| DELINEATED WET DITCHES | BMP - PONDING |
| BITUMIOUS ROADWAY | BOX CULVERTS |
| BRIDGES | |
| PAVED SHOULDER | |



HENNEPIN COUNTY PUBLIC WORKS
C.S.A.H. 92 SAFETY IMPROVEMENTS AT T.H. 12
PROJECT LOCATION MAP
OCTOBER 2020

SHEET
1
OF
1



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County

Address: 1600 Prairie Drive
Medina, Minnesota
55340

Primary Phone: 612-596-0328

Email: jane.heins@hennepin.us

Owner Information

Name: Sandra Bendickson

Address: 7455 US Highway No. 12
Independence, Minnesota
55359

Primary Phone: 612-619-1291

Email: sandib@frontiernet.net

Property Address:

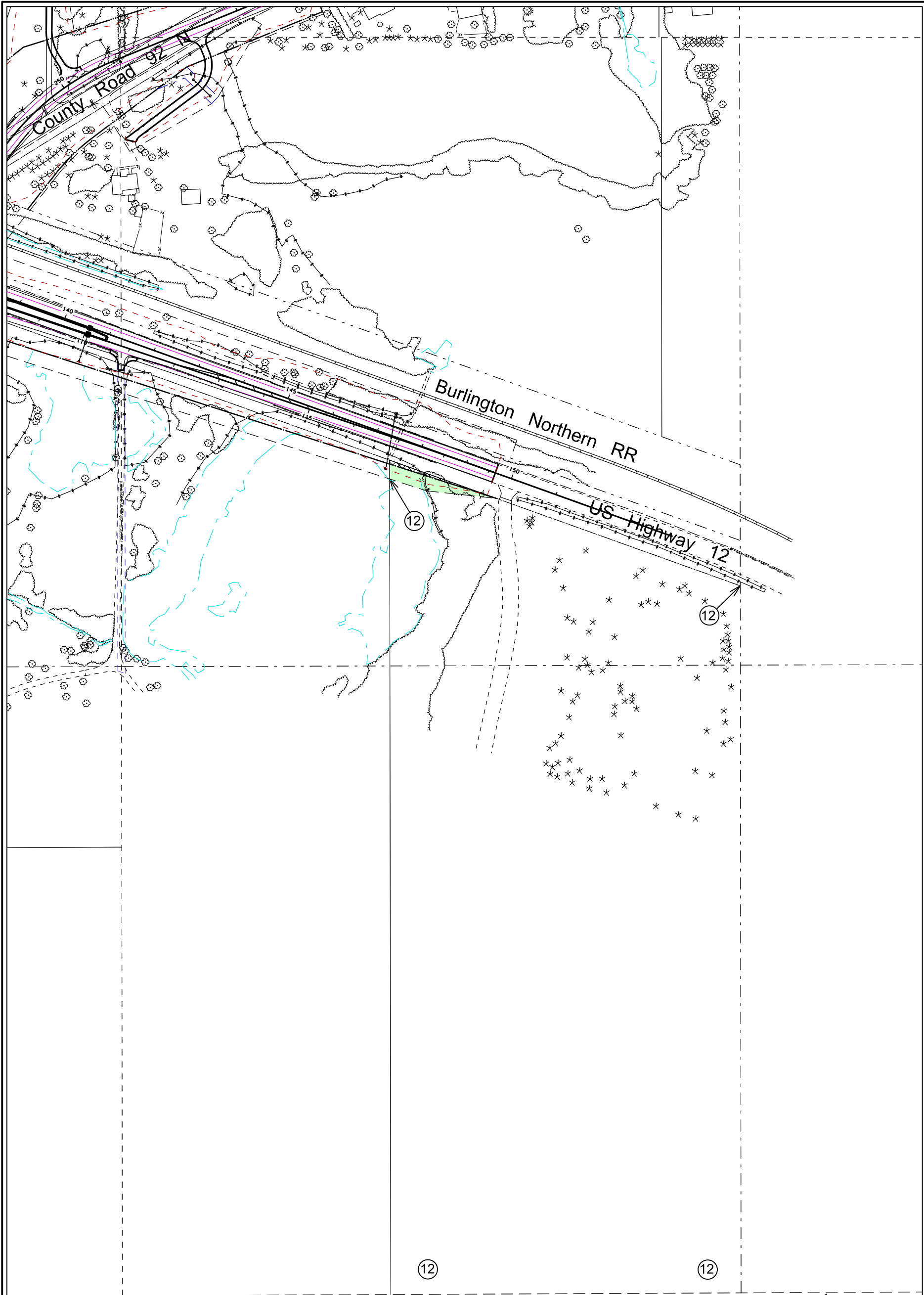
PID:

Planning Application Type: Other

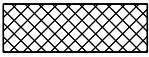

Description:

Supporting Documents: Site Survey (Existing Conditions)

Signature:



--- Construction Limits
--- Edge of Travel Lane
--- Railroad Right of Way

 Fee Taking = 932 sq ft
 Temporary Construction Easement = 4,767 sq ft



0 100 200

August 27, 2020

Parcel Area: 27.55 acres
1,199,926 sq ft



**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**
**1600 Prairie Drive
Medina, MN 55340**

OWNER: Bendickson, Sandra Lynn
ADDRESS: 7455 U S Hwy No 12
Independence
PID: 16-118-24-43-0002

PARCEL 12
CSAH 92
PROJECT 1611



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Medina, Minnesota
55340
Primary Phone: 612-596-0328
Email: jane.heins@hennepin.us

Owner Information

Name: Daniel Kittok
Address: 7525 US. Highway No.
12
Independence, Minnesota
55359
Primary Phone: 763-479-2200
Email: kittoksale@aol.com

Property Address:

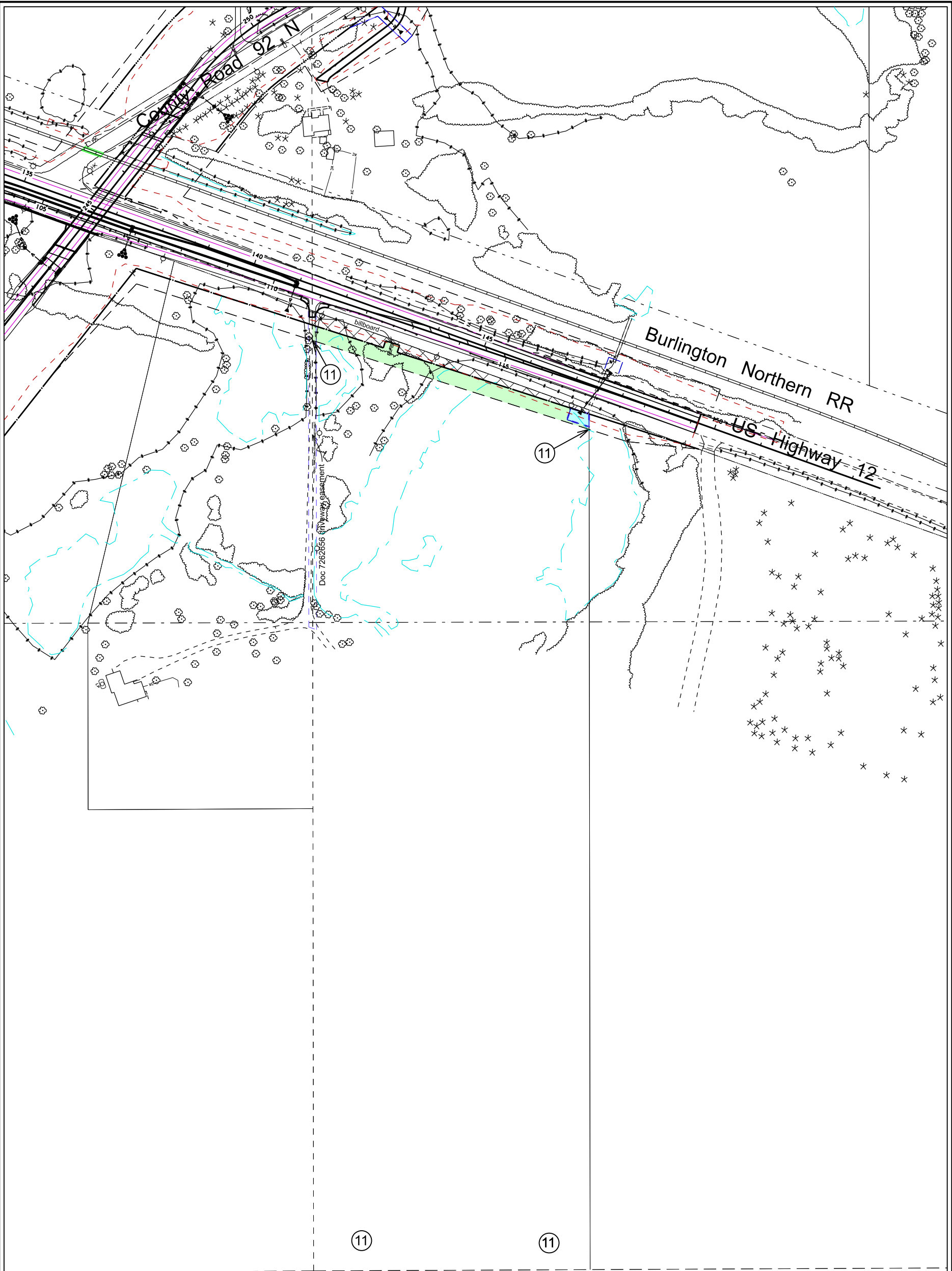
PID:

Planning Application Type: Other



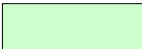
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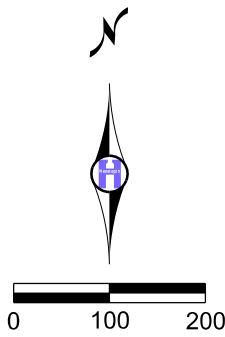
Supporting Documents: Site Survey (Existing Conditions)

Signature:



--- Construction Limits
--- Edge of Travel Lane
--- Railroad Right of Way

 Fee Taking = 10,163 sq ft
 Permanent Drainage & Utility Easement = 1,077 sq ft
 Temporary Construction Easement = 17,217 sq ft



**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**
**1600 Prairie Drive
Medina, MN 55340**

OWNER: Daniel J Kittok Rev Trust
ADDRESS: 7525 U S Hwy No 12
Independence
PID: 16-118-24-43-0001

PARCEL 11

CSAH 92
PROJECT 1611

January 8, 2021
Parcel Area: 24.2 acres
1,054,322 sq ft



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Medina, Minnesota
55340
Primary Phone: 612-596-0328
Email: jane.heins@hennepin.us

Owner Information

Name: Peter Kittok
Address: 7625 U.S. Highway No.
12
Independence, Minnesota
55359
Primary Phone: 763-479-6252
Email: kittoksale@aol.com

Property Address:

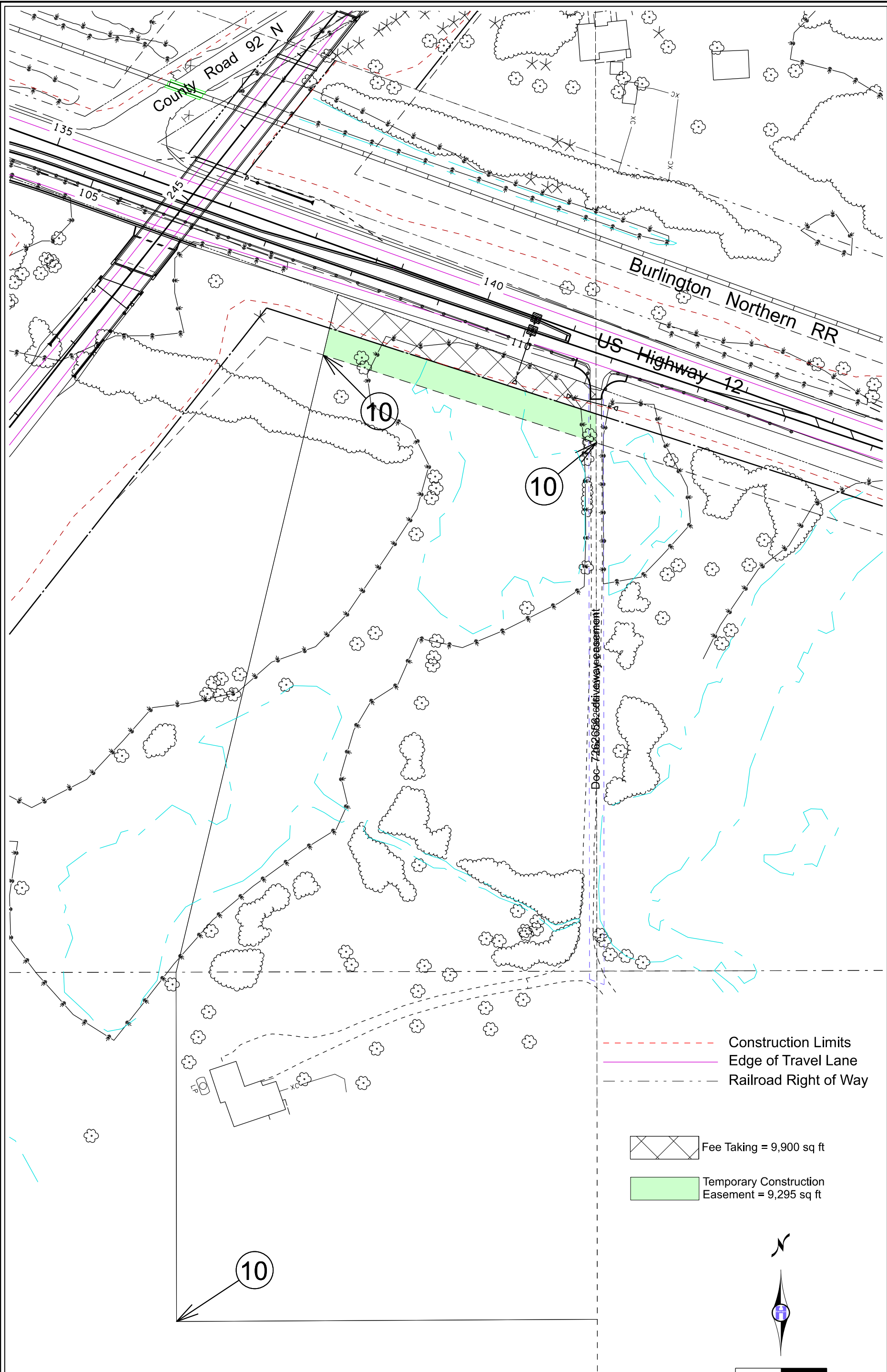
PID:

Planning Application Type: Other

Description:

Supporting Documents: Site Survey (Existing Conditions)

Signature:



**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**

1600 Prairie Drive
Medina, MN 55340

OWNER: Peter J Kittok
ADDRESS: 7625 U S Hwy No 12
Independence
PID: 16-118-24-31-0002

PARCEL 10

CSAH 92
PROJECT 1611

0 50 100
August 27, 2020
Parcel Area: 10.01 acres
436,023 sq ft



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Independence, Minnesota
55340
Primary Phone: 612-596-0328
Email: jane.heins@hennepin.us

Owner Information

Name: Kittok Farm Land LLC
Address: 7735 U.S. Highway No.
12
Independence, Minnesota
55359
Primary Phone: 763-479-2200
Email: kittoksale@aol.com

Property Address:

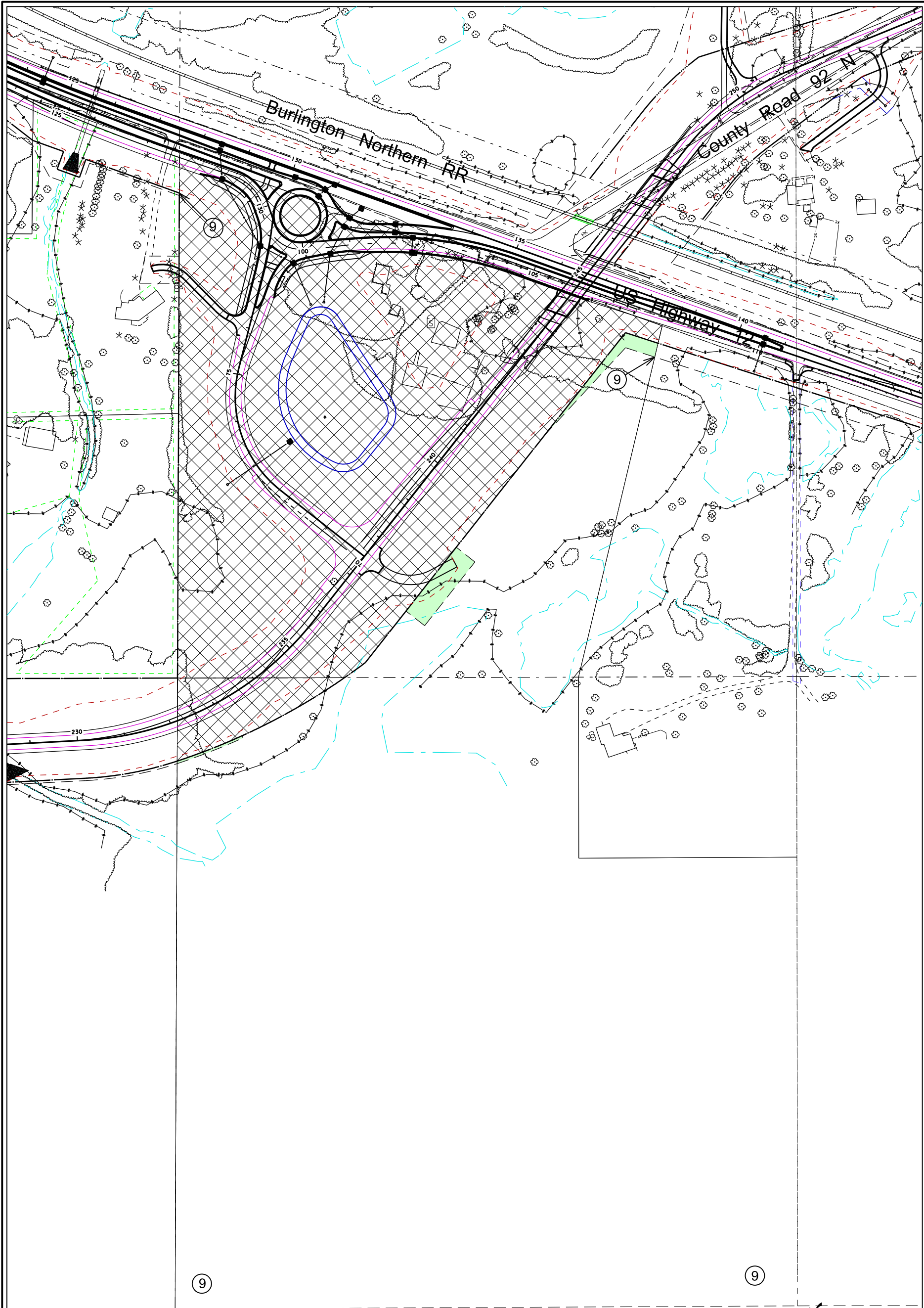
PID:

Planning Application Type: Other

Description:

Supporting Documents: Site Survey (Existing Conditions)

Signature:



- Construction Limits
- Edge of Travel Lane
- Railroad Right of Way
- Pond
- Existing Drainage and Utility Easement



Fee Taking = 713,164 sq ft
16.37 Acres



Temporary Construction
Easement = 14,106 sq ft



0 100 200

September 1, 2020
Parcel Area: 56.06 acres
2,441,897 sq ft



**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**

**1600 Prairie Drive
Medina, MN 55340**

OWNER: Kittok Farm Land Llc
ADDRESS: 7735 U S Hwy No 12
Independence
PID: 16-118-24-34-0002

PARCEL 9

CSAH 92
PROJECT 1611



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Medina, Minnesota 55340
Primary Phone: 612-596-0752
Email: pam.johnson@hennepin.us

Owner Information

Name: Sandra Lind
Address: 7865 U.S. Highway No.
12
Independence,
Minnesota 55359
Primary Phone: 612-719-8749
Email: sdlind35@gmail.com

Property Address:

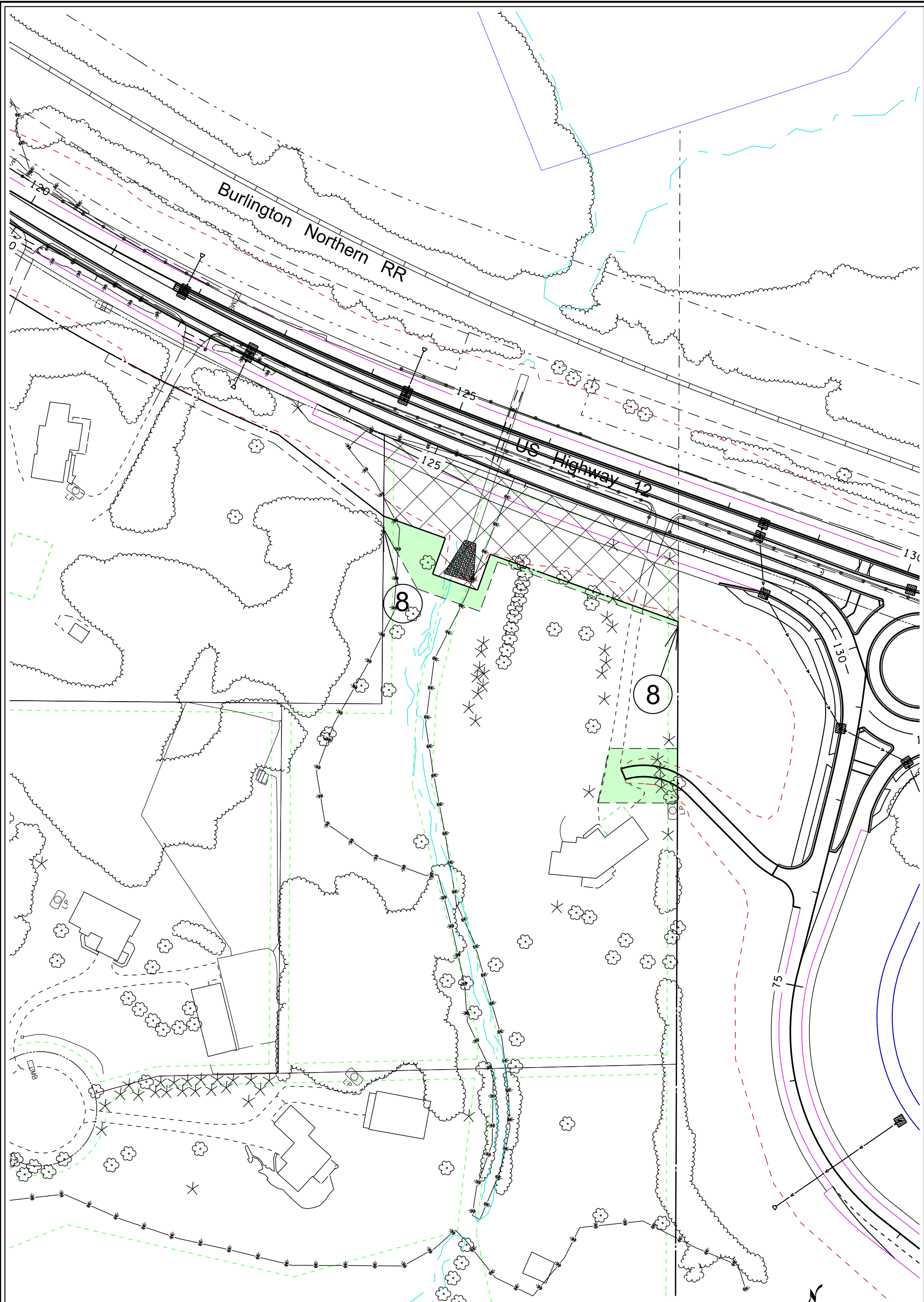
PID:

Planning Application Type: Other

Description:

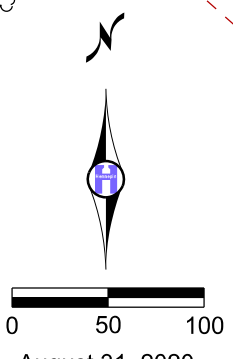
Supporting Documents: Site Survey (Existing Conditions)

Signature:



- Construction Limits
- Edge of Travel Lane
- Railroad Right of Way
- Existing Drainage and Utility Easement

- Fee Taking = 28,252 sq ft
- Temporary Construction Easement = 9,641 sq ft





**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**

**1600 Prairie Drive
Medina, MN 55340**

OWNER: Lind, Sandra D.
ADDRESS: 7865 U S Hwy No 12
Independence
PID: 16-118-24-32-0005

PARCEL 8	
CSAH	92
PROJECT	1611

Parcel Area: 5.29 acres
230,414 sq ft



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Medina, Minnesota 55340
Primary Phone: 612-596-0752
Email: pam.johnson@hennepin.us

Owner Information

Name: Jeremy Roberts
Address: 7899 U.S. Hwy. No. 12
Independence,
Minnesota 55359
Primary Phone: 360-690-5045
Email: robertsje35@gmail.com

Property Address:

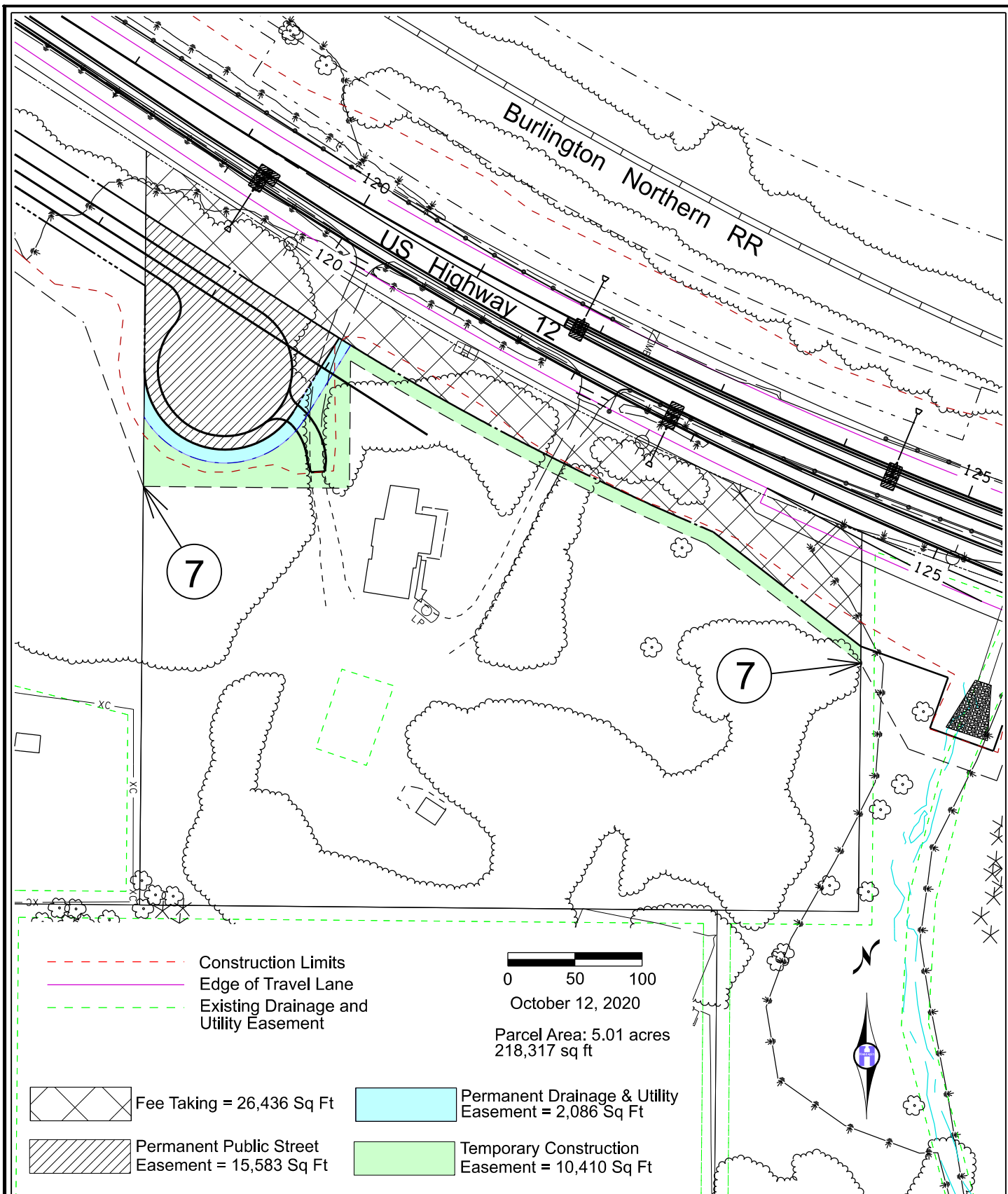
PID:

Planning Application Type: Other

Description:

Supporting Documents: Site Survey (Existing Conditions)

Signature:



**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**

**1600 Prairie Drive
Medina, MN 55340**

OWNER: Roberts, Jeremy V. and Kristina
ADDRESS: 7899 U S Hwy No 12
Independence
PID: 16-118-24-32-0001

PARCEL 7

CSAH 92
PROJECT 1611



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Hennepin County
Address: 1600 Prairie Drive
Medina, Minnesota 55340
Primary Phone: 612-596-0752
Email: pam.johnson@hennepin.us

Owner Information

Name: Danielle Wolfe
Address: 7950 Egret Drive
Maple Plain, Minnesota
55359
Primary Phone: 952-270-1502
Email: danielle@mywolfelaw.com

Property Address:

PID:

Planning Application Type: Other

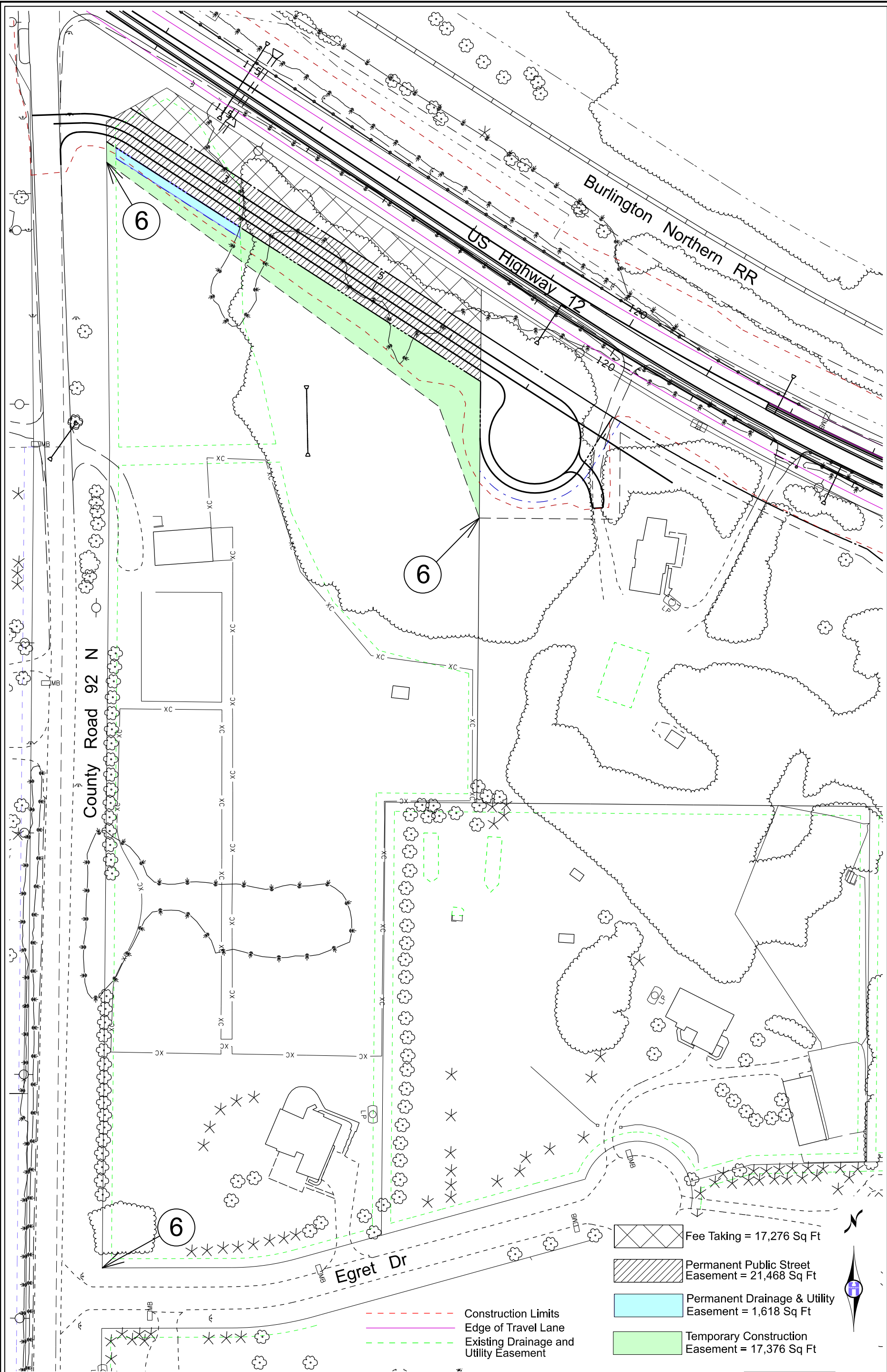
Subdivision Type: Lot Line Rearrangement

Description:

Supporting Documents: Site Survey (Existing Conditions)

Signature:

Pam Johnson



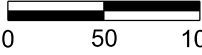


**HENNEPIN COUNTY
LAND ACQUISITION
GROUP**

**1600 Prairie Drive
Medina, MN 55340**

OWNER:	Wolfe, Matthew and Danielle
ADDRESS:	7950 Egret Dr Independence
PID:	16-118-24-32-0003

PARCEL 6	
CSAH	92
PROJECT	1611



October 12, 2020
Parcel Area: 9.9 acres
431,171 sq ft

City of Independence

Preliminary Discussion with Planning Commission – Zoning Ordinance Amendments for Subdivisions (Cluster Developments and Rural Residential Developments)

To: Planning Commission
From: Mark Kaltsas, City Planner
Meeting Date: October 19, 2021

Request:

Following consideration and discussion relating to several recent subdivisions, City Council directed the Planning Commission to review and consider possible changes to a few key standards. In order to start the process of amending the zoning ordinance, staff would like to begin a discussion with the Planning Commission pertaining to the possible amendments. The following are two possible ordinance amendments:

- a. **Discuss amending zoning ordinance pertaining to Cluster Developments.**
The current Cluster Development standards requires two calculations to be made to determine overall density of a development. 50% of the “development” must be preserved as open space and 50% of the open space preserved open space must be useable. The ordinance does not fully detail how the initial 50% of the “development” should be calculated. The question relating to this calculation recently came up during a sketch plan review. The City noted that it has historically taken the gross acreage of the development and multiplied it by 50% to determine the required preservation. The recent application challenged that method by suggesting that the calculation should be made on the net acreage remaining after existing and proposed public road right of ways are subtracted from the total acreage. It was noted that this would allow a number of additional lots to be realized on a given property.
- b. **Discuss future amendment to zoning ordinance relating to rural residential subdivision density table.**
Similar to the issue noted above, the City has been asked to consider changes to the current density table. The City has had a density table that equates a range of acreage to a prescribed number of potential lots that can be realized on a property. The table goes up to 47.5 acres at which point you get one additional lot for each 5 acres of property. The question raised challenges the method for calculating the additional units if there is more acreage than 47.5 acres. Current staff did not develop the adopted table nor fully understands the methodology behind the ranges established. The underlying density of

properties zoned rural residential is one unit per 5 acres. The ranges provided are beneficial to some properties and potentially detrimental to some properties.

- c. There are several other minor considerations that staff would also like to discuss relating to the subdivision ordinances as follows:
 - i. Minimum lot width for cluster developments. There is not a currently prescribed minimum lot width for lots developed as a part of a cluster subdivision. The City generally uses 150 as a base minimum for cluster development lots.
 - ii. Ownership of the Outlots created within a development. There has been questions and discussion historically about the ownership, allowable use and maintenance of the outlots and open space created in cluster developments. The City should further discuss requirements relating to the opens space established as a requirement of the cluster developments (i.e., maintenance requirements/responsibilities, allowable uses, ownership (HOA) and what if HOA defaults or is no longer established).

Cluster Developments:

Subd. 6. Cluster development conditional use permit. Cluster development is a conditional use in the rural residential district, subject to the provisions of subsections 520.09, 520.11 and 520.13 of this code.

- (a) Purpose. *The purpose of the cluster development conditional use permit is to promote the creative and efficient use of land. The provisions of this subdivision are intended to:*
 - (1) *Protect natural features in common open space.*
 - (2) *Improve the arrangement of structures, facilities and amenities on a site.*
 - (3) *Preserve the rural character of the community.*
- (b) Criteria. *A cluster development is a residential development in which a number of single family dwelling units are grouped on smaller lots than in conventional developments, while the remainder of the tract is preserved as open space. If the following standards are complied with, density of one unit per four acres is permitted.*
 - (1) *The development parcel must be 40 or more acres in size;*
 - (2) *A minimum of 50% of the development must be preserved as open space, recreational space or agricultural use;*
 - (3) *A minimum of 50% of the preserved open space, recreational space or agricultural use land must be useable. Wetlands, streams, lakes, ponds and lands within the 100 year flood plain elevation are not considered to be useable for the purpose of this subsection;*

- (4) *Woodland, wetlands and topography must be preserved in a natural state, with modification allowed when no reasonable alternative exists; or, if the site lacks unique features such as woodlands and wetlands, the site must be designed and constructed in such a manner that residential building sites are integrated into a created natural environment including reforestation, wetlands enhancement, and vegetative screening of structures;*
- (5) *The preliminary plat must show a primary and secondary individual sewage treatment site for each dwelling unit and must be supported with soil test reports indicating the adequacy of each proposed location; provided, that shared treatment systems within a development may be acceptable if the plat identifies two or more suitable sites for the shared system and the city council approves the proposal;*
- (6) *Lots within the development must have a minimum lot size of 1.5 contiguous buildable acres. Buildable acreage must not be separated by streams, wetlands, slopes in excess of 10% or other physical impediments;*
- (7) *Open space must be designated in the development as one or more outlots and must be owned either by a homeowners' association consisting of the owners of all of the residential lots in the development or by the owners of the residential lots, as tenants in common;*
- (8) *The developer must record against the development a declaration of covenants that places responsibility for management of the open space in a homeowners association and provides for the assessment of management costs to the association members;*
- (9) *All utilities must be placed underground;*
- (10) *All residential streets within the cluster development must be paved with a bituminous surface according to the city street standards in effect at the time of the development;*
- (11) *A development agreement must be entered into with the city.*

Rural Residential Developments:

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)

<u>Area of Lot of Record</u>	<u>Maximum Number of Lots Permitted</u>
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
42.6 through 47.5 acres*

*Eight
Nine, plus one addn. lot for every five
addn. acres of land.*

Staff will provide an overview of the issues in the ordinance and facilitate additional discussion. Based on the discussion and direction provided, staff will draft an ordinance for further consideration.