



PLANNING COMMISSION MEETING AGENDA
TUESDAY OCTOBER 17, 2023

7:30 PM REGULAR MEETING

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - a. August 29, 2023, Planning Commission Meeting Minutes.
 - b. September 19, 2023, City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING:** Peter Bullemer (Applicant/Owner) is requesting the following action for the property located at 3375 Lake Haughey Road (PID No.s 08-118- 24-33-0007 and 08-118-24-33-0008) in the City of Independence, MN:
 - a. A minor subdivision to allow a lot combination which would combine the two properties into one property.
5. **(TO BE CONTINUED TO NOVEMBER PC MEETING) PUBLIC HEARING:** Peter Johnson (Applicant/Owner) is requesting the following actions for the property located at 6220 CSAH 11 (PID No. 02-118-24-32-0001) in the City of Independence, MN:
 - a. A minor subdivision to allow a lot split which would create a new eight (8) acre parcel on the north side of the existing creek and would be accessed via Stephanie Way.
 - b. A variance to allow a new property to be created which has less than the requisite lot frontage on a public road or right of way.
6. **PUBLIC HEARING:** Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) is requesting the following action for the properties located at 1985 and 1989 County Road 90 (PID No.s 22-118-24-41-0005 and 22-118-24-41-0001) in the City of Independence, MN:
 - a. A minor subdivision to allow a lot combination which would combine the two properties into one property.
7. Open/Misc.
8. Adjourn.



PLANNING COMMISSION MEETING AGENDA
TUESDAY AUGUST 29, 2023

7:30 PM REGULAR MEETING

1. Call to Order

2. Roll Call

Present: Dumas, Volkenant, Gardner (Chair), Tarse, Alternates: Story, Usset

Absent: Thompson

Staff: City Administrator Kaltsas; Administrative Services Director Simon

Visitors: See Sign-In Sheet:

3. Approval of Minutes:

- a. *June 27, 2023, Planning Commission Meeting Minutes.
- b. July 18, 2023, Planning Commission Meeting Minutes.
- c. August 1, 2023, City Council Meeting Minutes (For Information Only)

*Minutes tabled from previous meeting as they were not included in the last packet.

Motion by Gardner to accept the minutes as written.

Ayes: Dumas, Volkenant, Gardner, Tarse, and Usset.

Nays: None. Absent: Thompson.

Abstain: None.

Motion Approved. 5-0

4. **PUBLIC HEARING:** Jon Dailing/Windson Farm Golf Club (Applicant) and David Meyer (Owner) are requesting the following action for the properties generally located at 18 Golf Walk and 550 CSAH 92 N. (PID No.s 32-118- 24-13-0001, 32-118-24-42-0001, 32-118-24-24-0001, 32-118-24-31-0002, 32-118-24-42-0030, 32-118-24-43-0002, 32-118-24-42-0031, 32-118-24-42-0029, 32-118-24-42-0025, 32-118-24-42-0036, 32-118-24-34-0001 and 32-118-24-31-0001) in the City of Independence, MN:

- a. A conditional use permit amendment to allow the modification and expansion of the main club house building associated with the golf course.

Kaltsas - applicant has discussed possibility of doing this for about 10 years. They have come to an agreement of what they want that expansion to look like and submitted plans to represent that. It is zoned AG, public, semi-public by comprehensive plan. The original golf course was CUP under the amendment process. This request is asking for the ability to expand the existing golf shop/locker room/clubhouse. As you come into the clubhouse square there is a large plaza area. The building furthest south is the main building or primary club house. Locker room is to the West and golf shop is to the North. Expand club house to add additional space and another usable level to the club house. Adding a couple thousand sq ft of usable area to the clubhouse. Combine locker room and pro shop by connecting the two buildings. Blue is additional space on the map. They would take a 5k and add another 7000 sq ft. That is across 2 stories, both upstairs and down. Total square footage is 12,500. Expansion has storage, restrooms on lower level and upper level expansion gathering area and wine room and others.

Overall site plan, it fits in the foot print of the overall golf course area. Expanding out and adding 2nd level for more usability of that space. Fire access road and entrance driveway remain in the original condition. Is there additional sq ft that would require more parking or fire issues or grading and drainage. There isn't. On the north course we already accounted for increase in membership and more parking. Lockers go with their current membership. CUPs, we look at criteria – does it have an adverse effect on surround properties, adverse effect that would cause mitigation strategies? The location, and interior to the site, this has no impact. IT doesn't increase members, etc. Just maximizes their space and create some usable spaces. The impact to the city and surround properties, doesn't cause further issues to be mitigated. High level of aesthetic quality. Lighting – anything changed or updated would need to be compliant with our ordinance.

Gardner – is there a limit on the membership?

Kaltsas – not yet. We have not placed a restriction on the number of members. We did ask when the north course expansion conversation was happening. There is a cap on their end that was approximately was a 30% increase in membership generally and we haven't got to the point of having to regulate that yet. Their rounds on their courses are what regulates that at some level. They are trying to serve their current and have the ability to increase in the 20-30% rate. At some point they can't increase the number to maintain their rounds.

Gardner – is this going to result in more events?

Kaltsas – no this is just lockers, storage, additional restrooms. They are making it more functional for their members on a day to day than large events.

Story – with increased course and expansion with bathroom, is there any septic issues?

Kaltsas - we are working on this through our building process and our building inspector would be involved and even the State to be involved to make sure it complies.

Dumas – the north course expansion would probably cause the need for the lockers, etc

Dailing – we have been out of lockers for about 10 years. There has been a lot of talk about this. We are adding a lot of parking, but ideally, they should be able to access the members area. The North side should be primarily employee parking and overflow parking. Members should be upfront.

Gardner – seems pretty simple to me.

Motion by Story, seconded by Tearse to allow a conditional use permit amendment to allow the modification and expansion of the main club house building associated with the golf course.

Ayes: Gardner, Dumas, Volkenant, Tearse, and Usset.

Nays: None.

Absent: Story and Thompson.

Abstain: None.

Motion Approved. 5-0

Sept 19th council

5. 2040 Comprehensive Plan – Update to Highlight Final Approval Details.

Received approval from Metcouncil, plan can be put into place following action from City council to adopt 2040 comp plan with the approval of the Metcouncil. The City will adopt along with the approval from Metcouncil, we need to put the plan in place by city council resolution. We don't have any action on this tonight, but just bringing it back to discuss.

Majority of plan that was presented is intact. Most of the plan is identical. There are changes that were stipulated by Metcouncil. Big item that we talk about is our 2040 land use plan that guides the land over the 20 years, but we look at a 10 year horizon. We know that every 10 years we must update this plan anyway. While it is a 2040 adopted in the 2020 time period, it really is a 10-year plan because we know in 2030 we will have to adopt a 2050 comprehensive land use plan. Land use planning act is a legislative statute dictates that Cities within the 7-county metro area we are required to adopt every 10 years and Metcouncil has jurisdiction over that plan. There are a couple of cities in the 7-county metro area that have the most complicated plans. We don't fit the mold they have tried to create. They challenge the Metcouncil norm. Watertown and Independence they don't know how to deal with. One of the big things we kind of went after is the notion that we weren't going to put a placeholder of density onto 2040 comp plan. Wanted to try to get out from underneath the placeholder we put in amended comp plan in 2010 to allow Lindgren Lane to be connected to sanitary sewer. In the 2010 land use plan, the city

identified an area north of Maple Plain that we through some density on. What kind of density do we need to offset Lindgren Lane sewer connection because we really need to provide sanitary sewer to Lindgren Lane their individual septic systems were failed and the community septic sites were failing. What do we do with 39 houses that need sewer. We went back to Metcouncil in this plan and said we want to stop counting, in your density calculation for the City of Independence, all of this area we had to bail out with sewer. That included not only Lindgren Lane but houses all along Independence Road. We provided sewer to get to Lindgren Lane, we came from County Road 11 down into Independence Road and then into Lindgren Lane. We as a city had to count that lack of density towards our overall density. We couldn't comply with it and we have no interest in trying to comply with that. There were some policy changes that were in our favor over the past couple years. It allowed us to show the areas that were south of the city, to decrease the density to something that is less than 3 units per acre. The purple area for Bridgevine, they allowed us to include it in this calculation and comp plan. We redefined the area along Budd North of the city to limit it to redevelopment potential. The other piece that changed is the orange piece that is "high density" development. It represents affordable housing that Metcouncil has adopted affordable housing standards for each city. Our city is 54 units affordable housing. At least 8 units per acre is required. We put it out by Delano where there is grocery, pharmacy, etc but they won't count it because it's not on the Metcouncil sewer system. The areas in yellow south of the city are representing low density (2.7 units per acre) minimum. We put it at 2.7 max as well. Medium density is 3.5-3.7 and in our old plan we were at 4.7. High density is 30-50 units per acre. That piece of property (orange) borders Maple Plain veteran's park. It's not suitable for low density, near the other apartment complex. 2.7 is something that no one in Independence is ready for because it is a lot of lots. We still have the ability to adopt standards, lot width, sizes, frontage to depth etc. They must correspond to 2.7 units per acre.

We had to come up with a sewer plan to do this. Can we sewer it or not sewer it? The areas around MP that's where we would accommodate it. Bring sewer line from Metcouncil regional lift station, city of Independence down Willow to County Road 19 through Jerde Tree Farm (Scotts), to county road 83 (have a lift station at County rd 83) then serve the remainder of the airport property. We don't have enough units for the full developments of that property and the properties north of Maple Plain.

When they showed us our population projection it was roughly 300 sewer units. We disagreed. If we turn on our own sewer we can grow as fast as we want to grow. Tried to change the number with Metcouncil so it gave us room to grow. We are three years away from getting a new plan. The phasing is described as A1 and A2, B1 and B2 and C and D. The affordable house must be completed in the 10 years it was adopted.

We updated affordable housing and some park names. Other thing to mention on the land use map, Metcouncil has been getting into AG Preserve. For property to be AG Preserve it must be long term guided. Historically, if the property came out of AG preserve, we must amend our plan to take it out. They want to control what happens to the property.

Story – how does Medina handle Metcouncil

Kaltsas – they have a lot more land use categories, but they also have Hamel with a density high population that helps them offset.

Story – how do our MP neighbors feel about this?

Kaltsas they accepted on Budd Ave. We will get some push back; they wanted grocery back and medical back. They need our growth to have what they want as well.

One size doesn't fit all.

6. Open/Misc.

7. Adjourn.

Motion by Story, seconded by Tearse to adjourn Planning Commission Meeting at 8:34pm.

Ayes: Gardner, Dumas, Volkenant, Tearse, and Usset.

Nays: None.

Absent: Story and Thompson.

Abstain: None.

Motion Approved. 5-0



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One size doesn't fit all.

6. Open/Misc.

7. Adjourn.

Motion by Story, seconded by Tearse to adjourn Planning Commission Meeting at 8:34pm.

Ayes: Gardner, Dumas, Volkenant, Tearse, and Usset.

Nays: None.

Absent: Story and Thompson.

Abstain: None.

Motion Approved. 5-0

City of Independence

Request for a Minor Subdivision to Allow a Lot Combination for the Properties located at 3375 Lake Haughey Road

| | |
|----------------------|----------------------------|
| <i>To:</i> | Planning Commission |
| <i>From:</i> | Mark Kaltsas, City Planner |
| <i>Meeting Date:</i> | October 17, 2023 |
| <i>Applicants:</i> | Peter Bullemer |
| <i>Owners:</i> | Peter Bullemer |
| <i>Location:</i> | 3375 Lake Haughey Road |

Request:

Peter Bullemer (Applicant/Owner) is requesting the following action for the property located at 3375 Lake Haughey Road (PID No.s 08-118- 24-33-0007 and 08-118-24-33-0008) in the City of Independence, MN:

- a. A minor subdivision to allow a lot combination which would combine the two properties into one property.

Property/Site Information:

The subject properties are located along the west side of Lake Lake Haughey Road near the southwest corner of Lake Haughey and just north of Hwy 12. The north property has an existing house, and the south property is vacant. The properties are heavily wooded, and both have lake frontage on Lake Haughey. The properties have the following site characteristics:

Property Information: 3375 Lake Haughey Road and PID No. 08-118- 24-33-0007

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

Acreage (Before): PID No. 08-118- 24-33-0007 – 4.07 acres

PID No. 08-118- 24-33-0008 – 2.28 acres

Acreage (After): 6.35 acres

Aerial of Properties



Discussion:

The applicant approached the City about the possibility of combining the two properties into one property earlier this year. The City noted that the combination of properties would be permitted and advised the applicant of the process. The applicant has prepared a survey showing the individual and combined properties.

There are several items that should be noted by the City during consideration of the application:

1. Both properties have mature tree coverage and lake frontage on Lake Haughey.
2. There is an existing home located on the north lot. The existing home meets all applicable setback requirements in the before and after conditions. The proposed lot combination does create any non-conformities.
3. Based on the current zoning standards for AG - Agriculture properties, this property could not be subdivided again following the combination. The minimum lot size in the AG-Agriculture zoning district required in order for subdivision to be considered is 40 acres.
4. The applicant will be required to dedicate the requisite 10' drainage and utility easements and execute all applicable documents.
5. There are a variety of lot sizes on Lake Haughey Road and the proposed larger lot realized as a result of the combination does not appear to change, alter or be out of context with the surrounding area.

The proposed subdivision to allow a lot combination appears to meet all applicable standards of the City's zoning and subdivision ordinance. The combined lot will fit into the surrounding area and should have minimal impacts on the surrounding properties.

Neighbor Comments:

The City has not received any written comments regarding the proposed subdivision.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision with the following findings:

1. The proposed minor subdivision to allow a lot combination meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.

2. The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
3. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
4. The Applicant shall execute and record the requisite drainage and utility easements with the county within six (6) months of approval.

Attachments:

1. Application
2. Survey with Before and After



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Peter Thomas Bullemer

Address: 3375 Lake Haughey Road
Independence, Minnesota
55359

Primary Phone: 7632265884

Secondary Phone: 7632265884

Email: pfbullemer@gmail.com

Owner Information

Name: Peter Thomas Bullemer

Address: 3375 Lake Haughey Road
Independence, Minnesota
55359

Primary Phone: 7632265884

Secondary Phone: 7632265884

Email: pfbullemer@gmail.com

Property Address:

PID:

Planning Application Type: Subdivision

Subdivision Type: Lot Line Rearrangement

Description:

Supporting Documents: Site Survey (Existing Conditions)

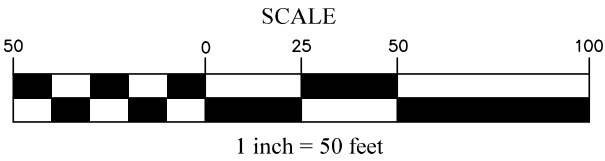
Signature:

Certificate of Survey

Prepared for:
Peter Bullemer

Boundary Description (per Doc. No. 3314480, dated July 28, 2000 and recorded September 13, 2000)
Real property in Hennepin County, Minnesota, described as follows:
That part of Government Lot 3 lying Westerly of the centerline of travel of the town road and Southwesterly of a line and its extensions, said line being described as follows: Commencing at the southwest corner of said Government Lot 3; thence East along the South line thereof 765.48 feet; thence North perpendicular to said South line 1355.43 feet to the point of beginning of the line being described; thence deflecting left 73 degrees 14 minutes 09 seconds to the shore of Haughey Lake and there ending, and Northerly of a line drawn at right angles to the West line of said Government lot from a point thereof distant 930 feet North of the Southwest corner of said Government Lot in Section 8, Township 118, Range 24.

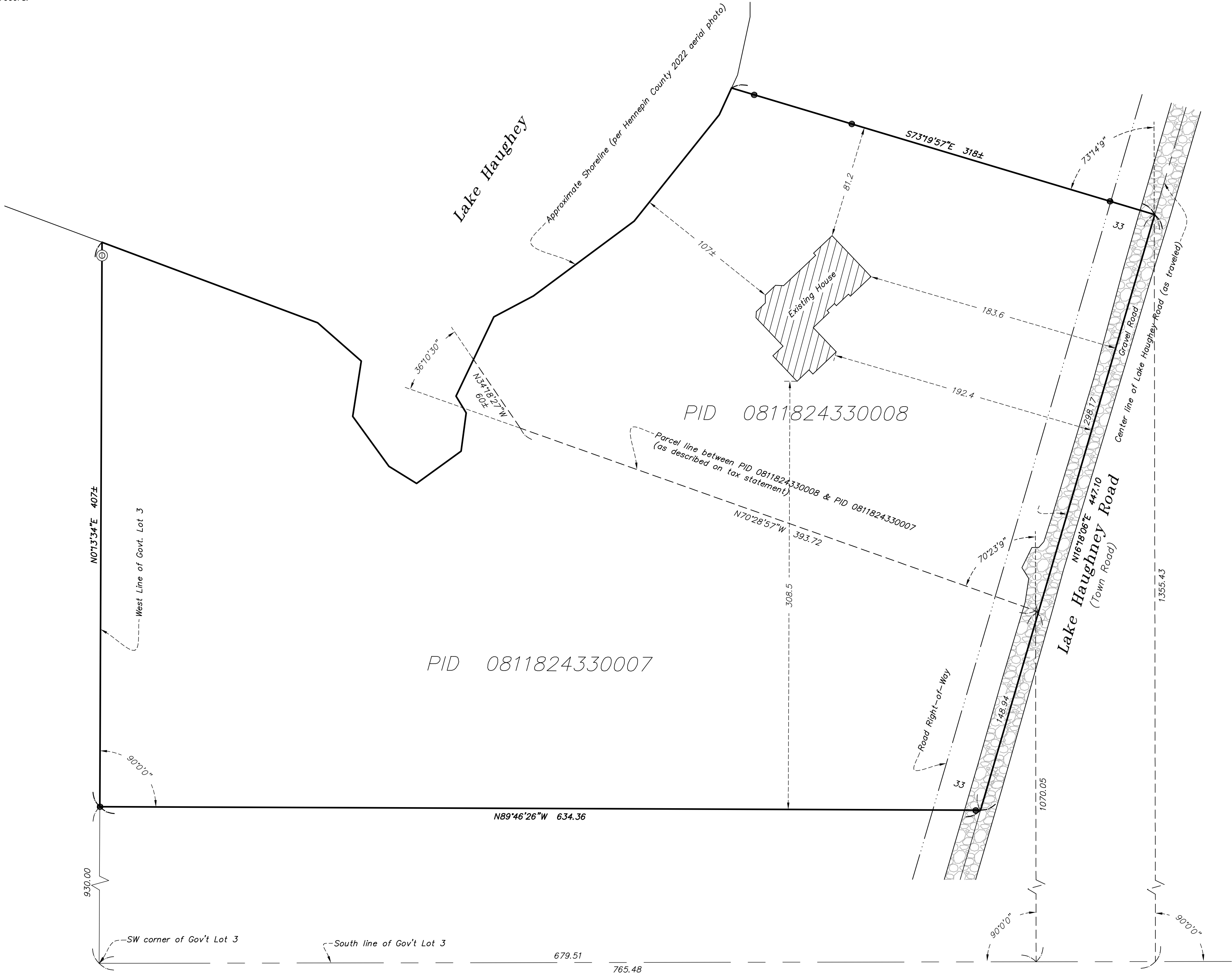
Subject to any and all easements of record.



Site Address:
3375 Lake Haughey Road,
Independence, MN 55359

Legend

- Found Iron Monument
- ⊙ Cast Iron Monument



Bearings based on Carver County Coordinate System

| | |
|---------------|-----------------|
| Job Number: | 9644 |
| Survey Date: | 8/29/23, 9/6/23 |
| Drawing Name: | bullemer.dwg |
| Drawn by: | SKH |
| Revisions: | |
| | |
| | |

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Kelly L. Brouwer
Kelly L. Brouwer

Date: September 12, 2023 Registration No. 48328

SCHOBORG
LAND SERVICES
INC.

763-972-3221 8997 Co. Rd. 13 SE
www.schoborgland.com Delano, MN 55328

■City of Independence

**Request for a Minor Subdivision to Allow a Lot Combination for
Properties Located at 1985 and 1989 County Road 90**

| | |
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| <i>To:</i> | Planning Commission |
| <i>From:</i> | Mark Kaltsas, City Planner |
| <i>Meeting Date:</i> | October 17, 2023 |
| <i>Applicant:</i> | Sam's Landscape, Inc. |
| <i>Owner:</i> | 1985 Co Rd 90 LLC |
| <i>Location:</i> | 1985 and 1989 County Road 90 |

Request:

Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) is requesting the following action for the properties located at 1985 and 1989 County Road 90 (PID No.s 22-118-24-41-0005 and 22-118-24-41-0001) in the City of Independence, MN:

- a. A minor subdivision to allow a lot combination which would combine the two properties into one property.

Property/Site Information:

The properties are located on the west side of CSAH 90 just north of the intersection of County Road 90 and Highway 12. The properties are currently vacant. There are two wetlands on the properties and existing trees located on the north side of both properties. The property has the following characteristics:

Property Information: 1985 and 1989 County Road 90

Zoning: CLI - *Commercial Light Industrial*

Comprehensive Plan: *Commercial Light Industrial*

Acreage: *7.56 acres*

1985 and 1989 County Road 90



Discussion:

In 2018, the City approved a site plan allowing for the commercial development of this property. During the City's review of the site plan, it was noted that there were two properties that would have to be combined and a condition was added to the approval. The owner has begun the site development and is now in a position to combine the two lots.

The combination of the two properties is in keeping with previously approved site plan. It will also allow the requisite drainage and utility easements to be recorded in accordance with the conditions for approval. The City did not find any potential issues relating to the proposed combination. The combination is required in order to allow the proposed development of the property.

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 minor subdivision to allow a lot combination. Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be considered:

1. The proposed subdivision allowing a lot combination meets all applicable criteria and conditions stated in Chapter V, Section 500, Planning and Land Use Regulations of the City of Independence Zoning Ordinance.
2. The applicant shall dedicate the requisite drainage and utility easements to the City. The applicant shall execute the necessary documents to convey the easements as determined necessary by the City.
3. The applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
4. The applicant shall record the subdivision and City Council Resolution with Hennepin County within six (6) months of approval.
5. The applicant shall execute and record the requisite drainage and utility easements with Hennepin County within six (6) months of approval.

Attachments:

1. Application
2. Survey

PARCEL SKETCH AND DESCRIPTION

~for~ 1985 COUNTY ROAD 90, LLC
~of~ 1985 COUNTY ROAD NO. 90,
INDEPENDENCE, MINNESOTA

EXISTING PARCEL DESCRIPTIONS

(Per Hennepin County Tax Records)

Parcel 1: (PID: 22-118-24-41-0005)
That part of the Northeast 1/4 of the Southeast 1/4 of Section 22, Township 118, Range 24, Hennepin County, Minnesota, lying Northeasterly of a line drawn from a point on the East line thereof, distant 696.47 feet South from the Northeast corner thereof, to a point on the North line thereof, distant 947.10 feet West from said Northeast corner, EXCEPT the East 112.00 feet of the North 416.00 feet thereof.

Parcel 2: (PID: 22-118-24-41-0001)
The East 112.00 feet of the North 416.00 feet of the Southeast Quarter of Section 22, Township 118, Range 24, Hennepin County, Minnesota.

PROPOSED PARCEL DESCRIPTION

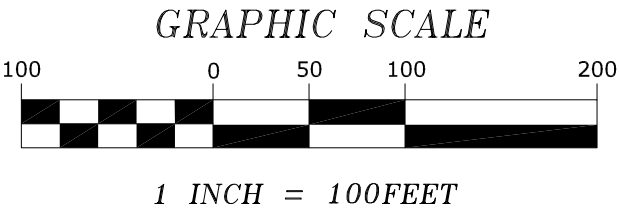
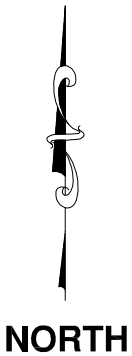
That part of the Northeast Quarter of the Southeast Quarter of Section 22, Township 118, Range 24, Hennepin County, Minnesota, lying Northeasterly of a line drawn from a point on the East line of said Northeast Quarter of the Southeast Quarter, distant 696.47 feet South from the Northeast corner of said Northeast Quarter of the Southeast Quarter, to a point on the North line of said Northeast Quarter of the Southeast Quarter, distant 947.10 feet West from said Northeast corner.

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


JASON E. RUD

Date: 9/25/2023 License No. 41578

- NOTES**
- For the purposes of this exhibit, no field work has been performed by E.G. Rud and Sons.
 - Bearings shown are on Hennepin County Coordinate System.





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