



CITY COUNCIL MEETING AGENDA  
TUESDAY FEBRUARY 10, 2026

**CITY COUNCIL MEETING TIME: 6:30 PM**

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

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

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

- a. Approval of City Council Minutes from the January 20, 2026, Regular City Council Meeting.
- b. Approval of City Council Minutes from the February 4, 2026, City Council Workshop.
- c. Approval of Accounts Payable; (Batch #1 - Checks No. 24172-24194 and Batch #2 – Checks No. 24195-24228).
- d. Approval of the Updated City Council Meeting Dates for 2026 – Changing the Meeting Time of the August 4<sup>th</sup> City Council Meeting from 6:30 PM to 5:00 PM and moving the November 3<sup>rd</sup> City Council Meeting from November 3<sup>rd</sup> to November 10<sup>th</sup> and Canceling the November 17<sup>th</sup> Meeting.

5. Reports of Boards and Committees by Council and Staff.

6. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the January 2026 Activity Reports.

7. Mike Kuka (Applicant/Owner) requests that the City consider the following action for the property located at 4405 County Road 92 N, Independence, MN (PID No. 04-118-24-31-0002):

- a. **RESOLUTION No. 26-0210-01** – Considering approval of a conditional use permit (CUP) to allow a detached accessory building to exceed 5,000 square feet. The applicant has an existing detached accessory building that is currently larger than 5,000 SF (approximately 7,200 SF) and considered lawful non-conforming. The applicant would like to add approximately 5,520 square feet to the existing building which will enlarge the structure and create the need for the conditional use permit.

8. Open/Misc.

9. Adjourn.



CITY COUNCIL MEETING MINUTES  
TUESDAY JANUARY 20, 2026

**CITY COUNCIL MEETING TIME: 6:30 PM**

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, January 20, 2025, at 6:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Grotting (virtual)

ABSENT: Fisher

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, PW  
Supervisor Ben Lehman

4. \*\*\*\*CONSENT AGENDA\*\*\*\*

Mayor Spencer stated that the consent agenda items would be considered routine and acted on by one motion unless someone would like to remove an item for discussion. The consent agenda

- a. Approval of City Council Minutes from the January 6, 2026, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 - Checks No. 24141-24171).
- c. Confirming the Date of the Local Board of Appeals and Equalization Meeting for Tuesday, April 7, 2026, at 6:00 PM.
- d. 4<sup>th</sup> Quarter Building Permit Report – For Information

**Motion by Betts, seconded by McCoy to approve the consent agenda. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0**

5. Reports of Boards and Committees by Council and Staff.

**Council member Grotting Attended the following meeting:**

- None

**Council member Betts Attended the following meeting:**

- Fire District Meeting after previous council meeting

**Council member McCoy Attended the following meeting:**

- None

**Mayor Spencer Attended the following meeting:**

- Hwy 12 Safety Coalition meeting
- Dinner with Chief Leuer
- NW Hennepin League
- Sat as an alternate for Joe Baker at the PSCWS meeting

6. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the December 2025 Activity Reports.

Director DuRose presented the monthly activity report for West Hennepin Public Safety from December 2025. He noted activity was up about 13.5% year over year, primarily due to traffic-related enforcement and education by officers.

DuRose mentioned that starting next month, there would be a new format for the monthly activity report to better align with how they report to the BCA. He informed the council that West Hennepin Public Safety would be participating in the Polar Plunge on January 31st at Lake Minnetonka with team name "Cool Whips."

DuRose also announced a recognition ceremony scheduled for February 2nd for three police officers and Sergeant Eblin, as well as recognition of performance and other activities from 2025.

He briefly addressed questions about immigration enforcement, stating that while there had been some federal agent activity in the area, West Hennepin Public Safety had not been involved in any operations.

The Mayor asked about what appeared to be an ice rescue practice on Lake Sarah on East Bay the previous night. DuRose was not aware of any rescue or training exercise.

7. Planning Commission Appointments.

- a. **RESOLUTION No. 26-0120-01** - Approval of Planning Commission Reappointments for Leith Dumas, Anita Volkenant and Timothy Usset.

There was discussion regarding the Planning Commission appointments. The Mayor noted that the agenda incorrectly listed the reappointments as Gardner, Thompson, and John Paul Story,

while the resolution correctly listed Anita, Leith and Tim Usset (alternate) as the terms that were up for reappointment.

Staff indicated that Leith had expressed interest in continuing to serve. The council discussed the value of Leith's experience as a builder/developer and the consistent attendance and contributions of John Paul Story, who was currently an alternate.

Council Member Betts suggested moving John Paul Story from alternate to a commissioner position and potentially offering Anita Volkenant an alternate position due to attendance concerns during summer months.

Council Member Grotting, who attended via Zoom, expressed that all commissioners have been fantastic and suggested reaching out to them to see if they would be willing to rearrange positions rather than making changes without their input.

**Motion by Grotting, seconded by Betts to approve RESOLUTION 26-0120-01 for Planning Commission reappointments, with the condition that individual roles would be determined at a future meeting after staff consultation with the commissioners. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0**

8. Consider Approval of the Waste Reduction and Recycling Grant Agreement with Hennepin County.
  - a. **RESOLUTION No. 26-0120-02** – Considering approval of the Waste Reduction and Recycling Grant Agreement with Hennepin County.

Staff explained this was a triannual agreement that provides grant funding from Hennepin County for the city's recycling opportunities. The county board approved an updated policy in November 2025 for the contract period from January 1, 2026, through December 31, 2028.

The Mayor inquired about the organics recycling requirement. Staff confirmed that the city maintains an organics collection container at the public works area that residents can use during business hours. Approximately three residents per week use this service, which meets the county's requirements.

**Motion by McCoy, seconded by Betts to approve RESOLUTION 26-0120-02 Approving the 2026-2028 Residential Waste Reduction and Recycling Grant Agreement. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0**

9. Open/Misc.

The Mayor introduced a proclamation for Winter Salt Week (January 26-30, 2026) that he brought from the watershed meeting. The proclamation highlighted the importance of proper salt application and the impact that salt has on water quality, noting that chloride contamination from deicing salt has been found in Lake Sarah, Lake Independence, and Pioneer Creek watersheds.

The proclamation urged all residents, businesses, and city departments to take part in activities that promote responsible use of deicing salt and adoption of winter maintenance strategies that maintain safety while reducing environmental harm.

**Motion by Spencer, seconded by Betts to proclaim January 26-30,2026, as Winter Salt Week in the City of Independence. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0**

8. Adjourn.

**Motion by McCoy, seconded by Betts to adjourn the meeting at 6:57PM. Ayes: Spencer, Betts, McCoy, Grotting. Nays: None. Absent: Fisher. Abstain: None. Motion Approved. 4-0**

MINUTES OF A WORK SESSION OF THE  
INDEPENDENCE CITY COUNCIL  
WEDNESDAY, FEBRUARY 4, 2026 – 7:00 AM.  
(WHPS Conference Room)

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a work session of the Independence City Council was called to order by Mayor Spencer at 7:04 a.m.

2. ROLL CALL

PRESENT: Mayor Spencer, Councilors Betts, Fisher, McCoy, Grotting (virtual)

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, Public Works Supervisor, Lehman, City Engineers Petros Paulos and Michael Kirsch

VISITORS: Chief DuRose

3. General Administration

a. Water Feasibility Study

Michael Kirsch and Petros Paulos from Kimberly Horn presented findings from the water feasibility study examining options for providing water service to potential development areas, primarily the Hilltop Farms property. The study analyzed two main scenarios: 1) connecting to Maple Plain's existing water system with upgrades, or 2) building an independent water system for Independence.

Key findings included:

- The projected development would require significant water storage capacity (500,000 gallons for independent system vs. 200,000 gallons if connected to Maple Plain)
- Cost estimates for the short-term Maple Plain connection option were approximately \$5.2 million
- An independent system would cost more initially (\$7-8 million) but could be more cost-effective long-term
- Treatment requirements would depend on water quality tests, particularly for radium which affects Maple Plain's water

The Council expressed a preference for exploring an independent water system rather than a joint powers agreement with Maple Plain, with concerns about Maple Plain's aging infrastructure and potential long-term complications of shared systems.

b. Miscellaneous Administration Updates

- Quiet Zone – Town Line Road Update

Staff reported that the estimated cost for implementing the Town Line Road quiet zone has increased to approximately \$900,000, significantly higher than the \$450,000 in bond funding secured for the project. The increased cost is due to additional road improvements required by the railroad, particularly related to the proximity of Sunset Lane to the crossing.

The Council agreed to explore additional funding opportunities through the legislature and possibly approaching the railroad about participating in the cost, as they had previously planned improvements to the crossing.

- Lake Independence No Wake Ordinance – Update Following Medina Council Meeting

Mayor Spencer reported that Medina is pushing for a dual-trigger no-wake system: the current trigger with 600-foot offset, plus a second trigger at 8 inches higher water level that would implement a whole-lake no-wake restriction. The Council agreed to maintain its position supporting only a single trigger with 600-foot offset, based on scientific evidence showing wake mitigation at 500 feet and concerns about administrative complexity of a dual-trigger system.

- Hennepin County Park Grant – Pioneer Creek Park Update
  - Discussion with Orono Softball/Baseball

Staff reported that the city's application for a Hennepin County Park Grant was not approved. Council discussed options for proceeding with modest improvements to Pioneer Creek Park, including building a paved access road, grading the front area, and creating a multi-purpose grass field that could serve for both baseball/softball and soccer. This approach would allow some immediate progress while maintaining flexibility for future development.

- Public Works GIS – Discussion on Establishing GIS System.

Mark and Ben presented a proposal to implement a Geographic Information System (GIS) for documenting the city's infrastructure at a cost of \$34,000. The system would help meet upcoming state requirements for digital documentation of underground utilities. The council supported moving forward with the project in the current year by reallocating funds within the existing budget.

- City Council Meetings 2026 – Overview of potential meeting conflicts and adjustments

(i.e., election).

The Council agreed to adjust the November meeting schedule to accommodate Election Day by consolidating to one meeting on November 10, 2026. Other scheduling conflicts were noted, including a potential March meeting conflict with spring break and an October 6th absence.

### 3. Adjourn

Motioned to adjourn at 9:00 a.m.

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Respectfully Submitted,  
Amber Simon/ Recording Secretary

Date: February 6, 2026  
 To: Public Safety Commissioners  
 City of Independence Council Members  
 City of Maple Plain Council Members  
 From: Director Matt DuRose  
 SUBJECT: January 2026 Monthly Activity Report



I am excited to present to you an updated version of the West Hennepin Public Safety Monthly Activity Report. While most of the report provides the same information as the previous version, we have updated the format and some of the data to more closely align with our offense reporting to the State of Minnesota. This report will continue to provide an overview of the monthly activity as well as year-to-date information for the reader.

All incidents are broken down as defined in the National Incident-Based Reporting System (NIBRS). NIBRS is the accepted reporting system utilized by police agencies across the country. NIBRS provides more complete and detailed incident information because it requires reporting of every offense committed within the incident. By detailing all offenses reported to West Hennepin Public Safety, it may appear that crime statistics are higher than what they have been, but this isn't necessarily the case. In this month's report, you will see that there were 24 criminal offenses reported, but they occurred in only 10 incidents.

NIBRS is broken down in the following categories:

**Group A offenses**

Animal Cruelty	Drug offenses	Homicide	Prostitution
Arson	Embezzlement	Human Trafficking	Robbery
Assault	Extortion	Kidnapping	Sex Offenses
Bribery	Forgery	Larceny	Stolen Property
Burglary	Fraud	Motor Vehicle Theft	Weapon Laws
Destruction/Damage	Gambling	Obscene Material	

**Group B offenses**

Bad Checks	Driving Under Influence	Liquor Law Violations	All Other Offenses
Curfew	Drunkenness	Peeping Tom	
Disorderly Conduct	Family Offenses	Trespass	

In addition to reporting Group A & B offenses, this activity report includes traffic related activity and community engagement activities of West Hennepin Public Safety. I look forward to the opportunity to discuss this new format with you and the community.

If anyone would like more detailed data, please contact my office.

Respectfully submitted,

# West Hennepin Public Safety Monthly Activity Report

## January 2026



# January 2026 Overview

Calls for Service  
Maple Plain  
126 (32.7%)

Total Calls for Service  
386

Calls for Service  
Independence  
222 (57.5%)

Traffic  
Offenses  
48

DWIs  
1

Traffic  
Offenses  
93

DWIs  
0

Crashes  
2

Arrests  
4

Aid Other  
Agency  
38 (9.8%)

Crashes  
18

Arrests  
0

Group A  
Offenses  
10

Group B  
Offenses  
8

Group A  
Offenses  
5

Group B  
Offenses  
1

\*Traffic Offenses include citations, parking tickets, written and verbal warnings



# Calls for Service: Non-Criminal

Medicals & Lift  
Assists/Falls

27

Alarms

16

Traffic  
Complaints

7

Suspicious  
Activity

8

Disturbance

2

Welfare Check  
& Mental Health

6

Record Checks  
& Permits

37

Animal Calls

3

\*Medicals & Lift Assists/Falls include all medical emergencies

\*Alarms include home, business, fire, CO2 alarms

\*Disturbance includes fights, harassment, and disorderly situations

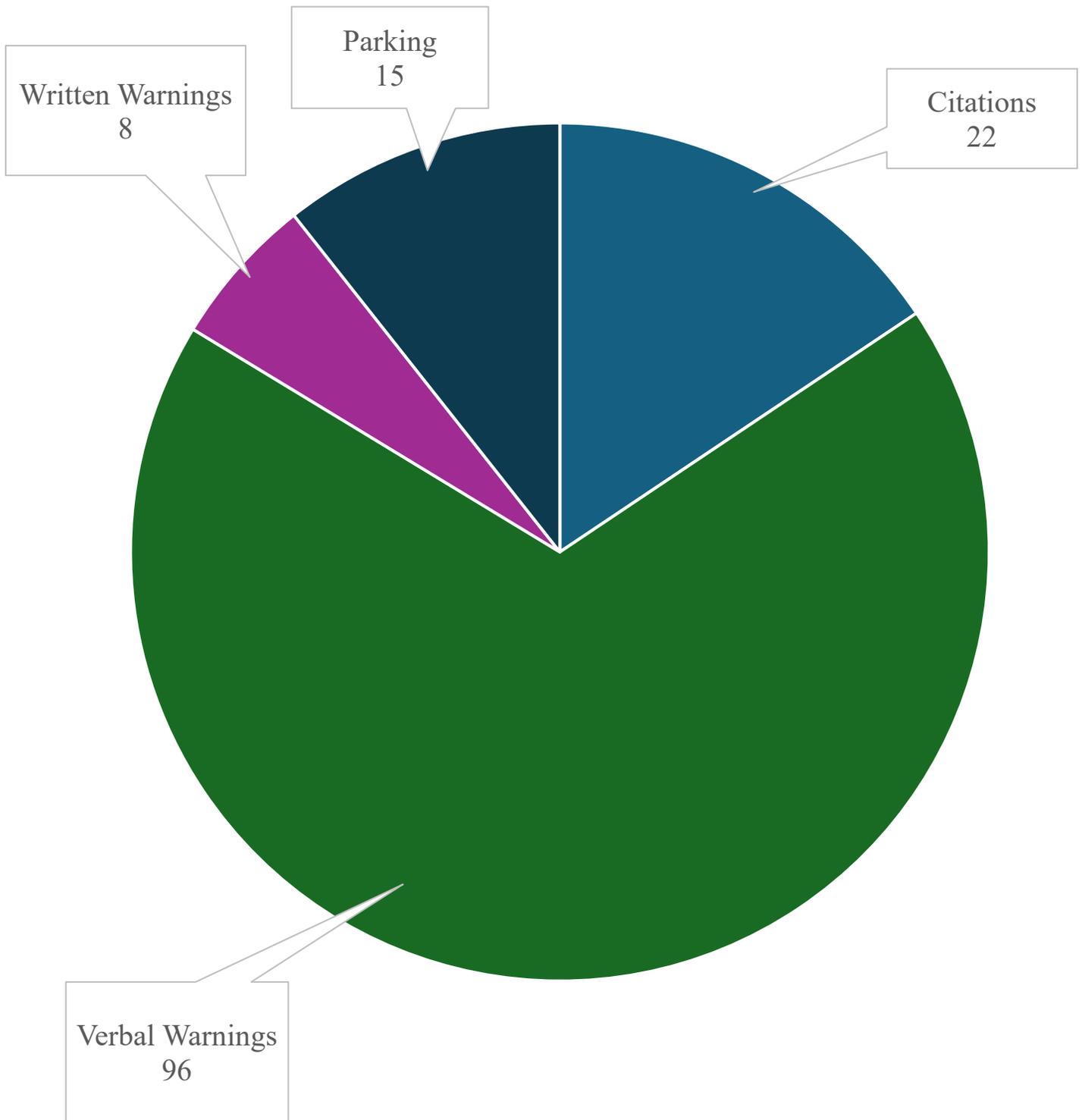


# Notable Calls for Service

- **Welfare Check, ICR 26000095:** 01/04/2026, 1500 block of Halgren Road, Maple Plain. Officers were dispatched to check the welfare of an employee who was recently fired making suicidal comments. Officers arrived at the employee's residence and spoke to him about the reporting party's concerns. He advised he was not suicidal and was just upset about losing his job. He was advised to call back if he needs assistance.
- **Suspicious Activity, ICR 26000228:** 01/17/2026, 9300 block of Maria Road, Independence. Officer was dispatched to a suspicious activity report where the homeowner saw three individuals walk up the homeowner's driveway. The reporting party had the incident on video. They can be heard saying "we are on somebody's property" and "take a picture". Extra patrol will be provided to the area.
- **Disturbance, ICR 26000322:** 01/26/2026, 3600 block of Ihduhapi Trail, Independence. Officer was dispatched to an individual acting aggressively and believed to be under the influence of drugs. Officers attempted to find additional resources for the subject, and he was ultimately unwilling to cooperate. He decided to leave on foot but shortly returned and asked for assistance. Officers believed the subject was a potential danger to himself considering the cold weather. He was placed on an emergency transport hold and was taken to the hospital.
- **Welfare Check, ICR 26000334:** 01/27/2026, 5800 block of Main Street W, Maple Plain. Officer was dispatched to check the welfare of the reporting party's friend who texted and said he had overdosed. Officer arrived on scene and spoke to the patient who admitted to taking 90 pills and had thoughts of self-harm. The patient was placed on an emergency evaluation hold and transported to the hospital.
- **Narcotics Complaint, ICR 26000385:** 01/31/2026, 4800 block of Gateway Boulevard, Maple Plain. Officer was dispatched to the listed location where someone turned in a baggie believed to be drugs. Officer arrived and watch video surveillance and was unable to pinpoint a suspect to prove possession. Officer seized the bag and brought it back to the police department where the contents tested positive for Methamphetamine. The narcotics were placed into evidence for destruction. The Drug Task Force was notified.

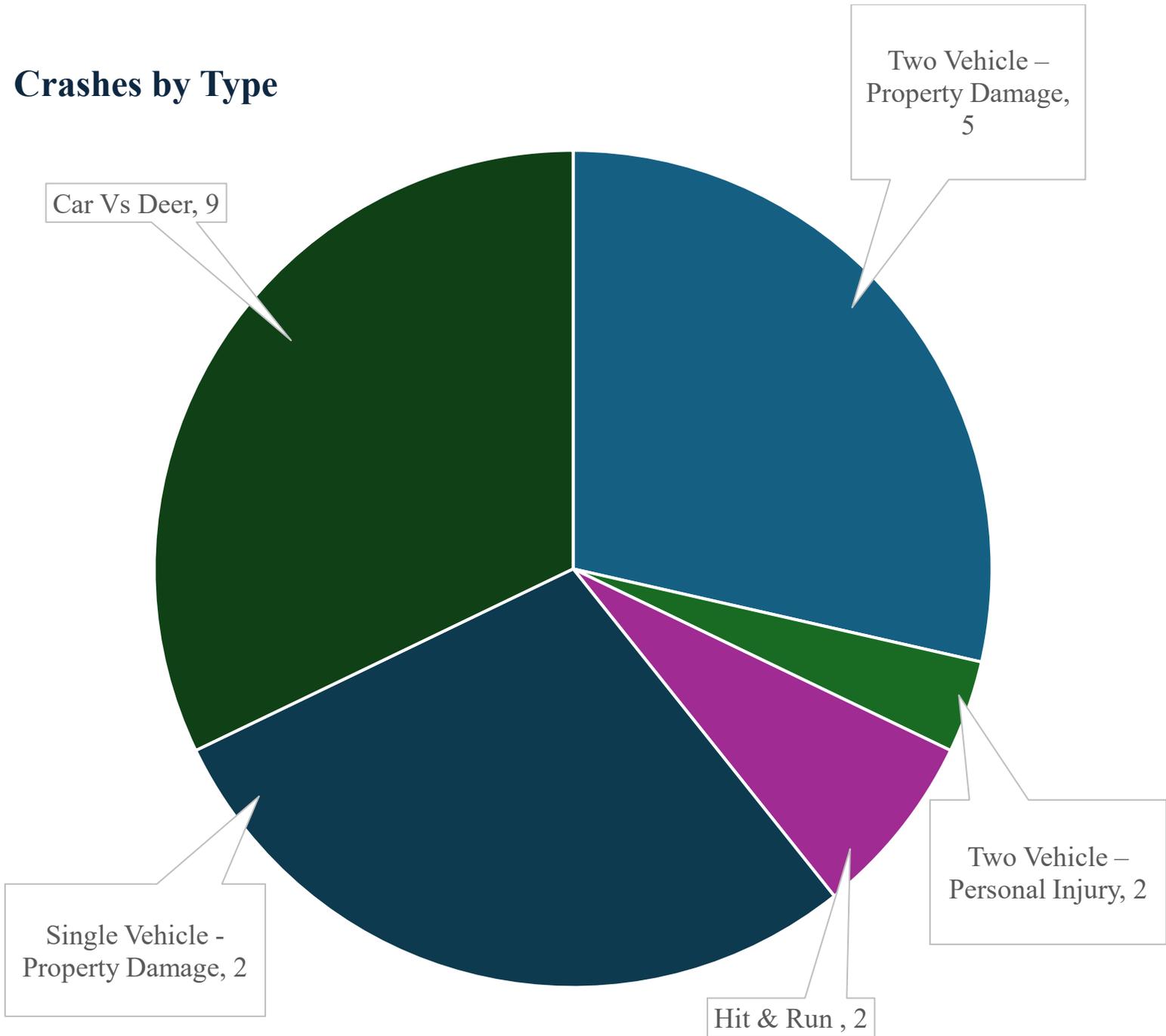


# Traffic Offense Data



# Crash Statistics

## Crashes by Type



# Criminal Offenses

Assault  
2

Possession of  
Controlled  
Substance  
3

Fraud  
2

Theft  
7

DWI  
3

Court Order  
Violation  
1

Domestic Assault  
1

Disorderly Conduct  
1

Fleeing in Motor  
Vehicle  
1

Stolen Property  
1

Criminal Vehicular  
Operation  
2

\*24 total reportable criminal offenses to the State/FBI in 10 separate incidents



# Notable Criminal Offenses

- **Receiving Stolen Property, ICR 26000261:** 5300 block of Highway 12, Maple Plain. Officers received information of suspicious activity. Officers arrived and found a stolen trailer. Two males were taken into custody. The incident is under investigation.
- **3<sup>rd</sup> Degree DWI Arrest, ICR 26000267:** 1300 block of Baker Park Road, Maple Plain. Officer received a traffic complaint about a vehicle repeatedly crossing into oncoming traffic and traveling at inconsistent speeds. Officer located the vehicle and observed the driver asleep at the wheel. Officer spoke to the driver who displayed signs of impairment. Field Sobriety Tests were conducted and a preliminary breath test showed 0.00. A search warrant was granted for a blood draw, which was executed. During a search incident to arrest, methamphetamine was located. Charges pending test results.
- **Domestic Assault/Protection Order Violation, ICR: 26000312** 5200 block of Bryantwood Drive, Maple Plain. Officer was dispatched to a domestic assault where there was an order for protection in place. Officers arrived on scene and determined the suspect shoved the victim causing the victim to become fearful. The suspect was booked and transported to Hennepin County Jail where the suspect was charged with domestic assault and violation of an order for protection.
- **Theft, ICR: 26000337:** 5400 block of Highway 12, Maple Plain. Officer took a report of a theft from vehicle. The reporting party advised a company plow truck had been parking at a closed business parking lot and someone stole a snowblower out of the bed of the pickup truck. The incident was recorded on the business' surveillance cameras. Forwarded to investigations for further.
- **Assault, ICR: 26000379:** 4800 block of Gateway Boulevard, Maple Plain. Officers received a call of a traffic complaint where a vehicle was hitting guardrails and had stopped at the listed location. WHPS Officers were enroute to the call, while assisting agency Officers were already on scene. The driver was non-compliant and began fighting with Officers. Ultimately, the driver was able to put the vehicle in drive and sped off leaving three Officers with injuries. Alerts were put out on the driver who was taken into custody a few days later.



# Community Engagement

- **January 5:** Officers Splichal and Raskin attended morning coffee at Haven Homes and introduced themselves to residents and answered their questions.
- **January 5:** Sgt Ebeling met with Haven Homes administration for a regularly scheduled check-in to discuss calls for service.
- **January 6:** Chief DuRose attended Wayzata PD's swearing in and promotional ceremony.
- **January 13:** Chief DuRose attended the West Hennepin Chamber of Commerce meeting as a newly elected board member.
- **January 22:** Chief DuRose attended the regularly scheduled Lakes Area Planning Group meeting to discuss Emergency Management in the area.
- **January 27:** The regular meeting of the West Hennepin Public Safety Police Commission was held at the WHPS office.
- **January 27:** Chief DuRose attended the monthly board meeting for West Hennepin Chamber of Commerce.
- **January 29:** Chief DuRose attended the Quarterly Meeting for West Suburban Fire District.
- **January 29:** Chief DuRose attended the regularly scheduled West Metro Drug Task Force Board meeting.
- **January 29:** Officer Eldred and Sergeant Ebeling attended the regularly scheduled Hennepin County Traffic Advisory Committee meeting.
- **January 31:** The Cool WHPS team Polar Plunged for the first time and raised over \$1,900 for Special Olympics Minnesota



■ City of Independence

**Request for a Conditional Use Permit to Allow the Expansion of an Existing Accessory Building that will Exceed 5,000 SF on the Property Located at 4405 County Road 92 N.**

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To: City Council  
From: Mark Kaltsas, City Planner  
Meeting Date: February 10, 2026  
Applicant: Mike Kuka  
Owner: Mike Kuka  
Location: 4405 County Road 92 N

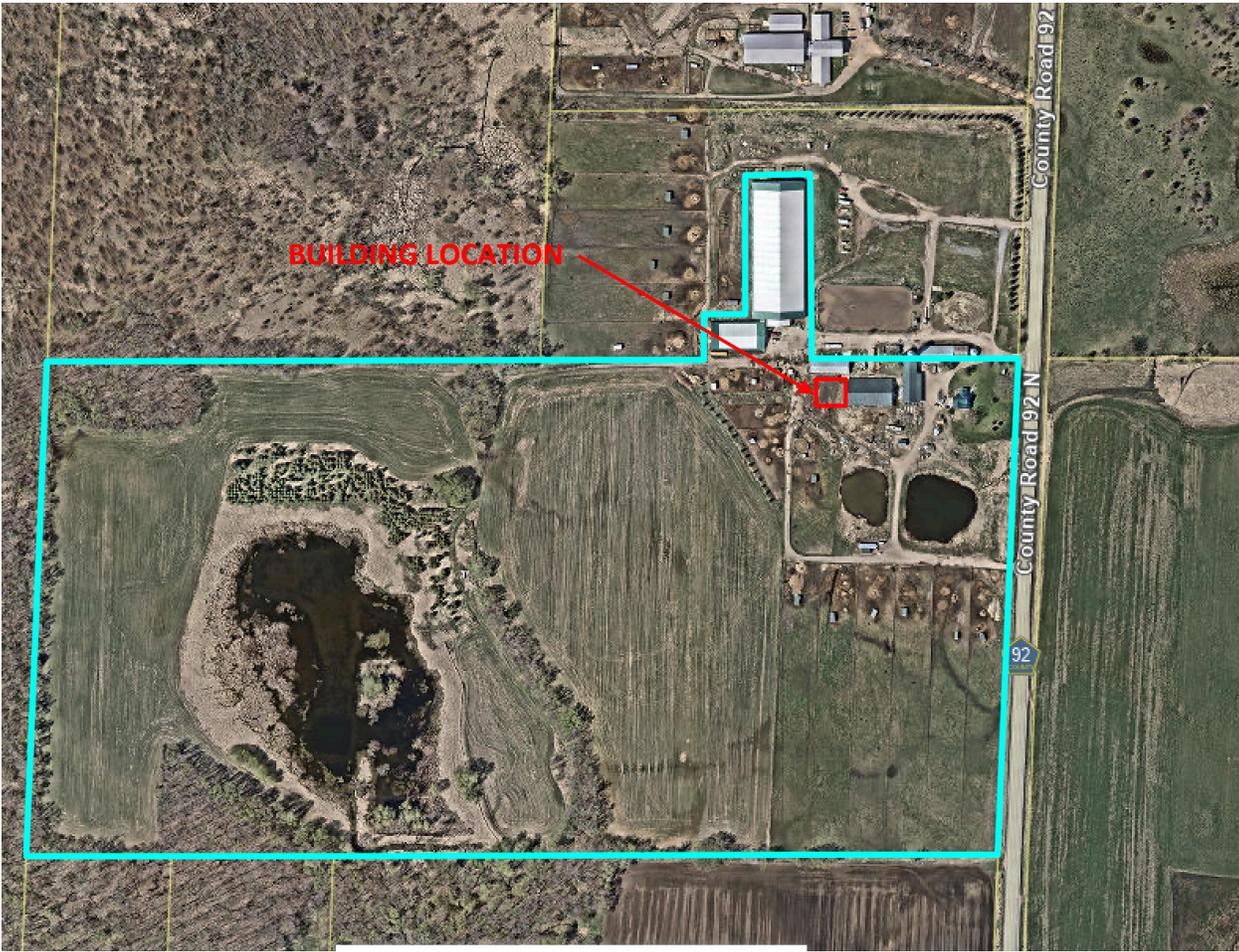
**Request:**

1. Mike Kuka (Applicant/Owner) requests that the City consider the following action for the property located at 4405 County Road 92 N, Independence, MN (PID No. 04-118-24-31-0002):
  - a. A conditional use permit (CUP) to allow a detached accessory building to exceed 5,000 square feet. The applicant has an existing detached accessory building that is currently larger than 5,000 SF (approximately 7,200 SF) and considered lawful non-conforming. The applicant would like to add approximately 5,520 square feet to the existing building which will enlarge the structure and create the need for the conditional use permit.

**Property/Site Information:**

The property is located on the west side of CSA H 92 and north of CSAH 11. The property is comprised of rolling topography, ponds, wetlands and pasture. The applicant has two properties under the same ownership. The property has the following characteristics:

Property Information 4405 County Road 92 N  
Zoning: *Agriculture*  
Comprehensive Plan: *Agriculture*  
Acreage: 80.07 acres



**Discussion:**

The applicant is seeking a Conditional Use Permit to allow the expansion of the existing detached accessory structure “barn” which would exceed 5,000 SF. The existing detached accessory building is considered lawful non-conforming as it was constructed prior to the adoption of the current standard and was not permitted via a conditional use permit. The existing detached accessory structure is 60 x 120 (7,200 SF). The applicant would like to add a 72 x 80 (5,520 SF) addition onto the existing building that would bring the total square footage to 12,720 SF (see attached plans). This would exceed the maximum amount of square footage permitted for a single accessory building (5,000 SF).

The total square footage of all detached accessory structures for properties greater than 10 acres is unlimited. The applicant is proposing to expand the building for their own personal agricultural use. It should be noted that this building is not considered a part of the commercial riding stable that is also located on this property. Any approval of this conditional use will contain a prohibition on the use of this building for commercial uses and or in association with the commercial riding stable. The existing building is located in the general vicinity of the other accessory buildings on property and not near an edge or adjacent property. The existing building is located approximately 50’ from the north (side) property line.

The city requires a minimum of 15' from a side property line for detached accessory buildings. All other setbacks significantly exceed applicable standards and would be fully compliant.

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:

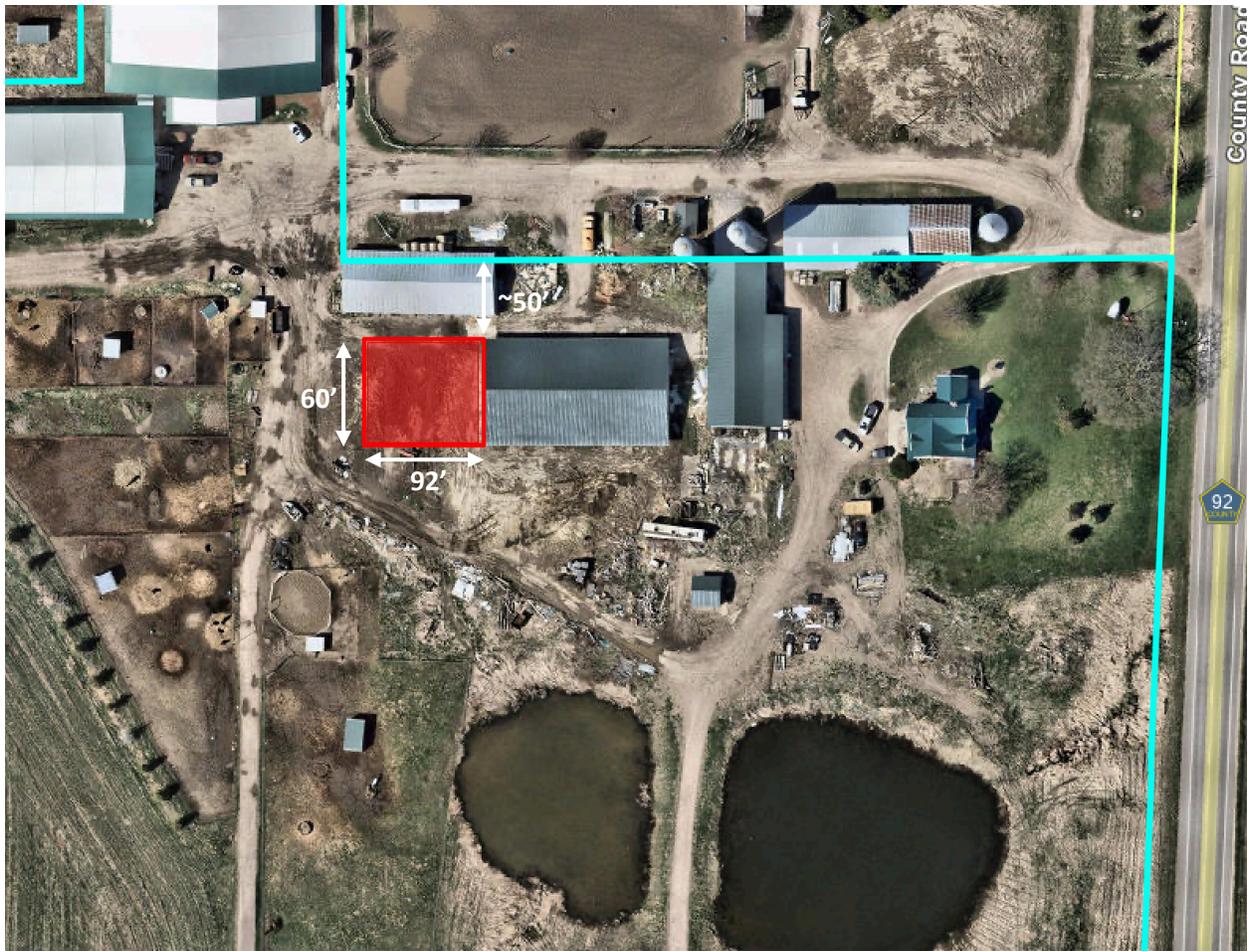
1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal 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.

Consideration for the proposed conditional use permit should weigh the impact of constructing an accessory building that exceeds 5,000 square feet. The city established the maximum accessory building size of 5,000 SF so that it could vet larger buildings given their potential impact on surrounding properties. The location of the existing building on the property, building setbacks, building height and other features of the building are permitted in the A-Agriculture zoning district. Given the size of the property, size of other existing structures on the property, and the applicant's ability to meet and exceed all applicable setbacks, the impact of the proposed structure relating to the standards for issuing a conditional use permit appear to have been met.

The proposed amendment is generally consistent with the use of similar Agriculture zoned properties in this area. Should the CUP be approved by the City Council, the Planning Commission has recommended that the following conditions be noted by the City:

- Any modifications to the structure or intensification of the use will be reviewed by the City and will be subject to all applicable standards and requirements.

- The use of this building will need to conform to all applicable standards in the A-Agriculture zoning district.
- The proposed building cannot be used for any commercial uses and cannot be used in relation to the existing commercial riding stable on the same property.
- The applicant shall ensure that all work related to the grading, drainage and restoration activities on this property be completed in accordance with all applicable standards.
- The city will require the applicant to provide a grading plan prior to issuance of building approval.
- The proposed building addition can be seen on the exhibit below (shown in red).



The Planning Commission will need to review the request and determine that all criteria for granting a conditional use permit have been satisfied by the applicant. Based on the discussion and public hearing it may be necessary to consider additional conditions if recommended for approval.

***Planning Commission Discussion:***

Planning Commissioners discussed the requested application and asked questions of staff and the applicants. Commissioners discussed the request and noted that the proposed accessory building is located so that it is not visible from the surrounding properties and has limited visibility from the County Road 92. Commissioners clarified that the proposed use was not connected to the commercial indoor riding arena or barn located on the property. The applicant stated that this would be used for personal purposes including training and riding and is not connected to the commercial use. Commissioners found that the size of the property, the location of the proposed building expansion and the proposed personal use satisfied all applicable criteria and recommended approval to the City Council.

***Recommendation:***

The Planning Commission recommended approval to the City Council for the requested Conditional Use Permit with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Any modifications to the structure or intensification of the use will be reviewed by the City and will be subject to all applicable standards and requirements.
3. The use of this building will need to conform to all applicable standards in the A-Agriculture zoning district.
4. The proposed building cannot be used for any commercial uses and cannot be used in relation to the existing commercial riding stable on the same property.
5. The applicant shall ensure that all work related to the grading, drainage and restoration activities on this property be completed in accordance with all applicable standards.
6. The city will require the applicant to provide a grading plan prior to issuance of building approval.
7. The applicant shall pay for all costs associated with processing, reviewing and recording the conditional use permit.

***Attachments:***

1. Property Pictures
2. Building Floor Plan and Elevations

**Attachment #1**

*(Looking South)*



*(Looking North)*



*(Looking Northwest)*



Kuka Equestrian Co



RESOLUTION OF THE  
CITY OF INDEPENDENCE  
HENNEPIN COUNTY, MINNESOTA

**RESOLUTION NO. 26-0210-01**

**A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO  
ALLOW THE EXPANSION OF AN EXISTING DETACHED ACCESSORY  
STRUCTURE THAT EXCEEDS 5,000 SQUARE FEET  
ON THE PROPERTY LOCATED AT 4405 COUNTY ROAD 92**

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

WHEREAS, the City adopted a comprehensive plan in 2020 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Mike (the “Owner/Applicant”) submitted a request for a conditional use permit considering approval of a conditional use permit (CUP) to allow a detached accessory building that exceeds 5,000 square feet on the property located at 4405 County Road 92 (PID No. 04-118-24-31-0002) (the “Property”); and

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

WHEREAS, the Property is zoned Agriculture; and

WHEREAS the requested conditional use permit amendment meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on January 20, 2026, to review the application for a conditional use permit, following mailed and published noticed as required by law; and

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

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Mike Kuka for a Conditional Use Permit to allow a detached accessory building that exceeds 5,000 square feet. on the subject property per the City's zoning regulations with the following conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Any modifications to the structure or intensification of the use will be reviewed by the City and will be subject to all applicable standards and requirements. The expansion of the existing building will be constructed in accordance with the approved plans shown on attached **Exhibit B**.
3. The use of this building will need to conform to all applicable standards in the A-Agriculture zoning district.
4. The proposed building cannot be used for any commercial uses and cannot be used in relation to the existing commercial riding stable on the same property.
5. The applicant shall ensure that all work related to the grading, drainage and restoration activities on this property be completed in accordance with all applicable standards.
6. The city will require the applicant to provide a grading plan prior to issuance of building approval.
7. The applicant shall pay for all costs associated with processing, reviewing and recording the conditional use permit.

This resolution was adopted by the City Council of the City of Independence on this 10<sup>th</sup> day of February 2026, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.

\_\_\_\_\_  
Brad Spencer, Mayor

ATTEST:

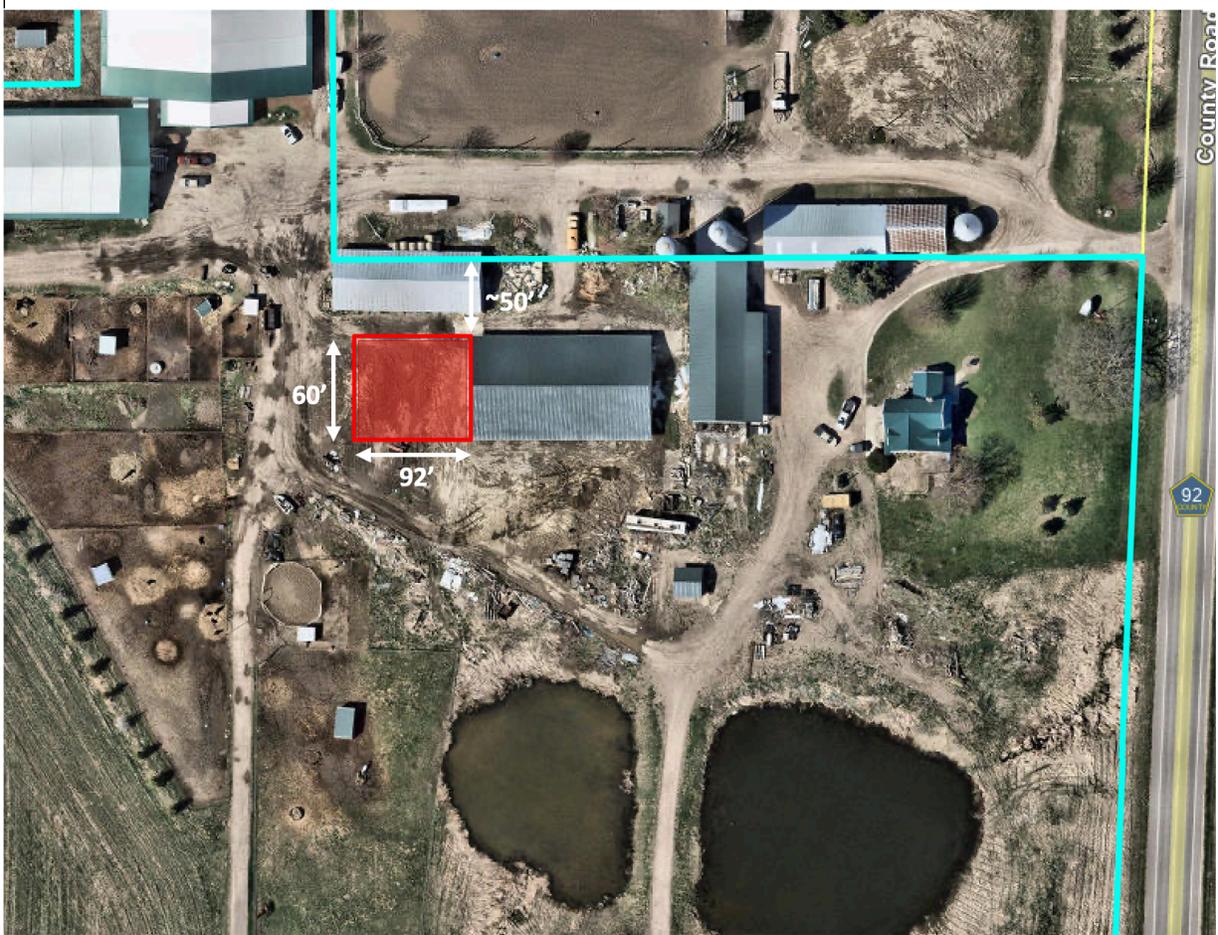
\_\_\_\_\_  
Mark Kaltsas, City Administrator

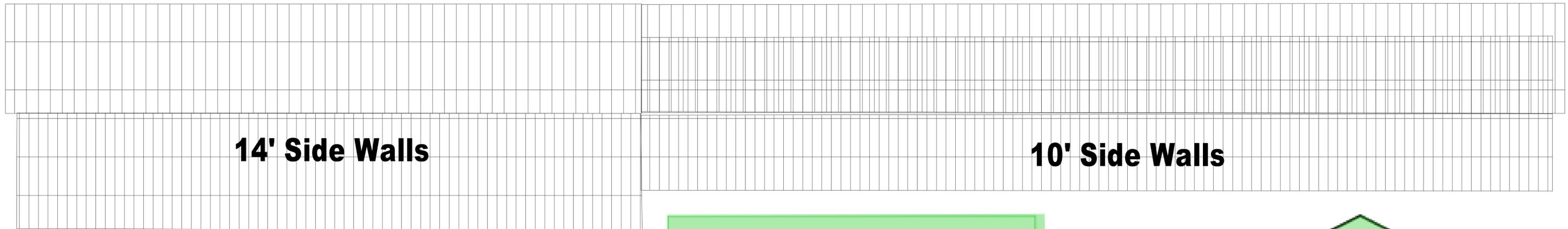
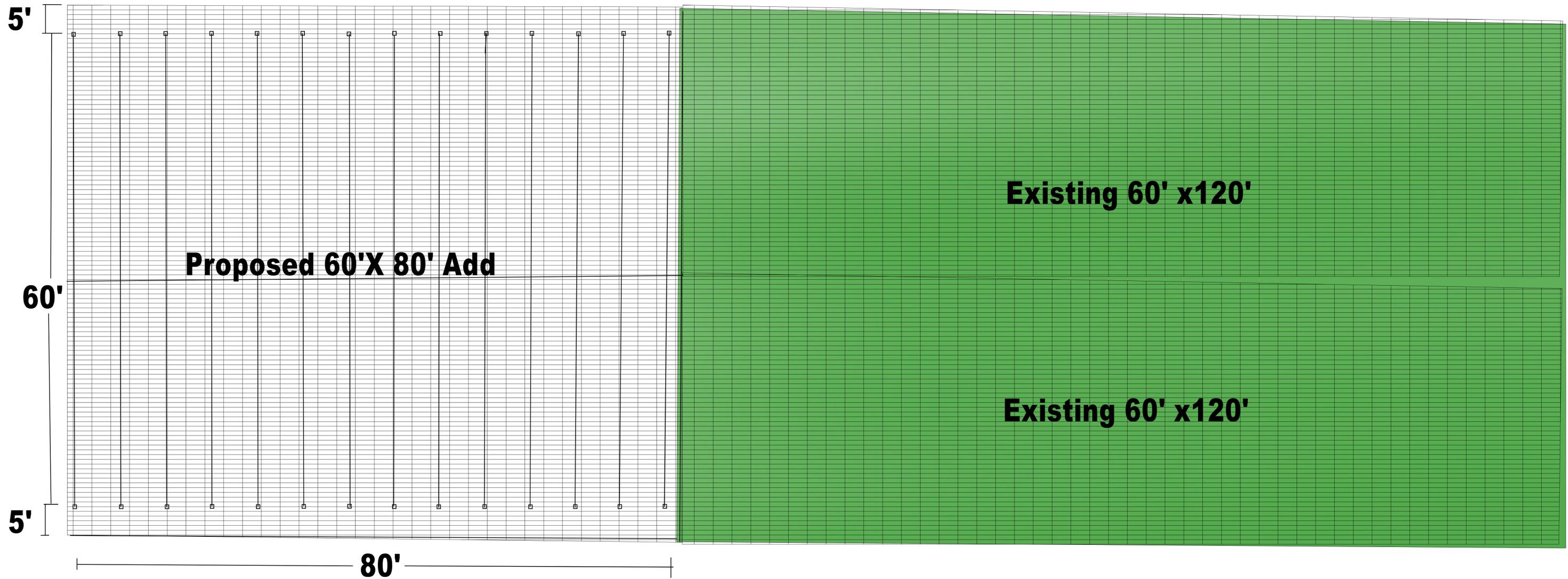
**EXHIBIT A**  
*(Legal Description)*

The North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 04, Township 118, Range 24, except road, Hennepin County, Minnesota.

ALSO, that part of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 04, described as follows: Commencing at the center of said Section 04; thence S89°31'13" W, along the South line of the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , a distance of 604.26 feet to the point of beginning; thence N00°32'07"W a distance of 475.54 feet; thence S89°28'49"W a distance of 144.20 feet; thence S00°32'07"E a distance of 370.05 feet; thence S89°09'18"W a distance of 110.52 feet; thence S00°48'17"E a distance of 104.69 feet to said South line; thence N 89°31'13"E, along said South line, a distance of 254.23 feet to the point of beginning.

**EXHIBIT B**  
*(Site Plan)*





Revision #: 001

Date: 11/6/2025

Scale:

1" = 6'

Landscape Plan: 80 x60' Add

**Kuka Shed Add**

Landscape Design by: Mike Kuka

**L&K Tree & Shrub Inc.**