



PLANNING COMMISSION MEETING AGENDA
TUESDAY, JUNE 16, 2025

7:30 PM REGULAR MEETING

1. **Call to Order**

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

2. **Roll Call**

PRESENT: Gardner, Thompson, Tearse (joined after 1st public hearing item), Dumas, Volkenant, Alternates Story and Usset

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon

VISITORS: See Sign-in Sheet

3. Approval of Minutes:

- a. June 2, 2026, Planning Commission Meeting Minutes.
- b. June 2, 2026, City Council Meeting Minutes (For Information Only).

Staff noted that the submitted minutes appeared to contain a mix of content from both the April and June 2 meetings, with the public hearing section lacking sufficient detail. Commissioners observed that a portion of the discussion recorded under the June 2 minutes appeared to belong to the April meeting, specifically content related to commissioner reappointments and position changes. It was also noted that compliance checks were absent from the record.

Motion to table both sets of minutes and return them with corrections was made and seconded. Ayes: Gardner, Thompson, Tearse, Volkenant, Dumas, Story. Nays: None. Abstain: None. Absent: None. Staff confirmed they would ensure the minutes were cleaned up before resubmission. The motion carried. 5.0

4. **PUBLIC HEARING:** Tracy Kooman (Applicant/Owner) requests that the City consider the following action for the property located at 2692 Becker Rd., Independence, MN (PID No. 14-118-24-42-0007):

- a. A conditional use permit (CUP) to allow a detached accessory building that exceeds 5,000 SF. The applicant is proposing to construct a new indoor riding arena and barn on the subject property by adding a new barn to the property which would exceed 5,000 SF. All detached accessory buildings constructed in the City of Independence that are greater than 5,000 SF can only be constructed upon issuance of a conditional use permit.

Staff presented the application for a conditional use permit to allow a detached accessory building exceeding 5,000 square feet on the rural residential property at 2692 Becker Road. The applicant, Tracy Kooman, proposed to attach a new indoor riding arena to an existing barn on the property. The existing barn measures approximately 4,200 square feet (65' x 65'), and the proposed addition is approximately 9,700 square feet, connected by a fully enclosed 10-foot corridor. The combined total square footage of the attached structures would be approximately 13,000–14,000 square feet, which triggers the conditional use permit requirement under the City's code.

Staff confirmed the property is zoned and guided as rural residential, and that the City allows unlimited detached accessory buildings on properties exceeding 10,000 square feet, but requires a CUP for any individual building or connected structure exceeding 5,000 square feet. Once the existing barn and proposed addition are connected, they are treated as a single structure for the purposes of the CUP. Staff clarified that the applicant could still construct an additional, unconnected accessory structure in the future without triggering a new CUP, provided it does not independently exceed 5,000 square feet or connect to the existing structure.

The proposed use is strictly private. The applicant stated no commercial use is intended — no horse boarding, no riding lessons, and no rental activity. Staff noted that surrounding property owners had raised questions primarily about potential commercial use, and confirmed that no commercial use is proposed. The proposed building would meet all applicable setback requirements. Staff also noted that existing tree coverage along the Becker Road frontage provides some screening, though the new structure would likely be visible from the road through a gap in the treeline.

Commissioner Thompson asked whether the applicant had disclosed the number of horses they currently keep or intend to keep. Staff noted this information was not provided, but explained that horse density on the property is already governed by the City's animal unit regulations — one animal unit per the first two acres, and one per acre thereafter — and that no additional disclosure is required for a noncommercial use.

The public hearing was opened. No members of the public were present to testify. The applicant was noted as not being present online at the time of the hearing.

Motion by Thompson, seconded by Volkenant to approve the Conditional Use Permit for the property at 2692 Becker Road, subject to all staff recommendations in the packet. Ayes: Gardner, Thompson, Volkenant, Dumas, Story. Nays: None. Abstain: None. Absent: Tearse. The motion carried. 5.0

Staff noted this item will proceed to the City Council on July 7, 2026.

Commissioner Tearse joined the meeting

5. **PUBLIC HEARING:** Tony Des Marais (Applicant/Owner) requests that the City consider the following action for the property located at 4727 Lake Sarah Dr. S. Independence, MN (PID No. 03-118-24-12-0011):
 - a. A conditional use permit (CUP) to allow a detached Accessory Dwelling Unit (ADU) to be located on the subject property.

Staff presented the application for a conditional use permit to allow a detached accessory dwelling unit (ADU) on the rural residential property at 4727 Lake Sarah Drive South. The applicant, Tony Des Marais, proposed to construct a detached accessory building of approximately 2,100 square feet, within which a 768-square-foot ADU would be located. The ADU would contain one bedroom, a bathroom, a kitchen, and storage areas, and is intended to serve as a mother-in-law unit for relatives of the homesteaded owner.

Staff reviewed the City's ADU criteria in detail and confirmed the proposal meets all applicable requirements:

- The ADU is located within a detached accessory building, as permitted.
- At 768 square feet, it is subordinate to the principal dwelling's above-ground square footage of 2,690 square feet.
- The proposed ADU size is within the required range — greater than the 400 SF minimum and less than the 888 SF maximum (33% of 2,690 SF).
- The accessory building at 2,176 square feet falls just below the maximum allowable accessory structure size of 2,221 square feet for the approximately 2.5-acre upland property.
- The ADU is limited to one bedroom, within the two-bedroom maximum.
- Occupancy is restricted to relatives of the homesteaded owner, consistent with code requirements.
- The property cannot be subdivided, so future subdivision is not a concern.

A significant element of the application involves the septic system. The existing septic system, approximately 30 years old, is located in the area where the new building would be constructed. The applicant's representative confirmed that a new system has already been designed, sized to accommodate up to six bedrooms — accounting for the two existing bedrooms in the principal dwelling, two planned bedrooms to be finished in the basement, and two bedrooms in the ADU. The existing alternate drain field site would remain available.

Discussion arose around the City's septic compliance requirements. Staff explained that the City recently strengthened its ordinance to address situations where properties were being sold without required compliance checks. The updated ordinance now requires sellers to either

complete a compliance check or place funds in escrow prior to closing. Staff noted that a new septic system currently costs approximately \$40,000, making compliance an important issue for future property transactions. Commissioners acknowledged that as long as the applicant's new system passes a future compliance check, the property could be sold without issue.

Commissioner Thompson noted that he had driven by the property prior to the meeting and observed that the proposed building site would not create a significant visual impact from the street, as the driveway corridor provides only a narrow sightline into the property. He also noted that the approximately 55-foot separation between the proposed accessory building and the principal dwelling was appropriate and would not appear visually jarring.

The public hearing was opened. An applicant representative was present and provided clarification regarding the septic system design. No other members of the public testified.

Motion by Story, seconded by Volkenant to close the Public Hearing 5-0

Motion by Thompson, seconded by Volkenant to approve the Conditional Use Permit for the property at 4727 Lake Sarah Drive S, for an accessory dwelling unit, subject to all staff recommendations 1-7. Ayes: Gardner, Thompson, Tearse, Volkenant, Dumas, Story. Nays: None. Abstain: None. Absent: None. The motion carried. 5.0

6. Open/Misc.

Staff raised the topic of public hearing notification distances, referencing a prior meeting in which community members had expressed concern that they had not received notice of a public hearing affecting their neighborhood. Staff noted that for that particular hearing, notices had been sent within a 500-foot radius — 50% beyond the state statutory minimum — yet some affected property owners were located beyond 1,500 feet.

Staff reported consulting with the City Attorney, who cautioned against arbitrarily expanding the notice radius, noting that any specific distance chosen would be subjectively applied and could expose the City to legal challenges. The City Attorney's advice was to rely on the state statute as a backstop. Staff indicated they would continue to examine the issue, suggesting that a radius proportional to a property's size — such as a quarter-quarter section — might provide a more defensible rationale.

The Commission also briefly discussed the possibility of requiring posted signage on subject properties as a supplemental form of public notice, a practice used in other jurisdictions. Staff acknowledged cost and logistics as ongoing concerns with property signage but agreed that it would provide an additional layer of transparency. Staff committed to bringing a more fully developed proposal, along with input from the City Attorney, back to the Commission for further discussion.

7. Adjourn.

Motion by Gardner, seconded by Story to adjourn the meeting at 8:11pm. 5-0