



CITY COUNCIL MEETING AGENDA
TUESDAY OCTOBER 5, 2021

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 September 21, 2021, Regular City Council Meeting.

b. Approval of Accounts Payable (Batch #1 Checks Numbered 20740, Batch #2 Checks Numbered 20741-20772)

5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.

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

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%.

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.

9. Consider Approval of **RESOLUTION NO. 21-1005-03** Appointing Election Judges for the November 2, 2021 General Election.
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.
11. Discussion Regarding November 2, 2021 City Council Meeting Date Conflict Due to the General Election.
12. Open/Misc.
13. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 21, 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: Bryant Johnson

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 7, 2021, Regular City Council Meeting.
- b. Approval of Accounts Payable.
- c. Approval of Pay Application #10 from Rochon Corporation.
- d. Large Assembly Permit for 2850 Lindgren Lane - Event to be Held on Saturday, October 2nd, 2021.
- e. LMCC Annual Budget Proposal.
- f. 2021 Second Quarter Financial Report – For Information Only.

Motion by Spencer, second by Betts to approve the Consent Agenda with the amended previous minutes. 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.

Kaltsas would like to add one recognition at the end of the meeting.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

McCoy attended the following meetings:

- Fire Commission
- West Hennepin Chamber
- Ribbon Cutting

Betts attended the following meetings:

- Fire Commission
- Ribbon Cutting

Grotting attended the following meetings:

- Contractors Meeting

Spencer attended the following meetings:

- Ribbon Cutting

Johnson attended the following meetings:

- Ribbon Cutting
- NW League
- Regional Council of Mayors
- Fire Commission
- Orono School Board
- Wright Hennepin Electric
- Former Governor Al Quie's Birthday Party

Horner attended the following meetings:

- BKV

Kaltsas attended the following meetings:

- Ribbon Cutting
- BKV
-

7. West Hennepin Public Safety – Director Gary Kroells: Presentation of the August 2021 Activity Report.

See full police report.

Kroells says that they had their first construction meeting for the work that will be done on County Road 92 and Highway 12. Country Road 92 to the South will be closed for 30 days for excavation and preparation for the Fall construction work. Johnson asks if the work is almost done from County Road 6, down 92 to Saint Boni. Kroells says not quite. They are anticipating that work to be done in the first week of October. At the end of October, County Road 92 North to County Road 11 will be closed for a year. Valley Road will be closed as well. McCoy asks if Valley Rd can be opened for emergency vehicles. Kroells states he will check on this. Kroells mentions that they do not have a traffic control device on County Rd 11 and County Rd 90. He is working on this but is asking for the Council's help. McCoy asks if they should pass a resolution requesting an

official letter to Hennepin County requesting for traffic control for this? Kroells says it may be a little early, but maybe soon.

8. Bryant Johnson (Applicant) and Hilltop Farm, Inc. (Owner) is requesting the following actions for the property located between CSAH 90 and CSAH 83 and identified as PID No. 2611824130001.
- a. **RESOLUTION NO. 21-0921-01** – Considering approval of a minor subdivision to split the property into two parcels.
 - b. **ORDINANCE NO. 2021-05** – Considering approval of the rezoning of the subject property from AG-Agriculture to RR-Rural Residential.
 - c. **RESOLUTION NO. 21-0921-02** - Considering approval of a Preliminary Plat to allow a 13-lot subdivision to be known as Hilltop Prairie Subdivision.

Spencer takes over as Johnson is recusing himself.

- a. Kaltsas explains the Hilltop 13 lot subdivision. This property is guided by the MetCouncil as it relates to a long-term service area for the city. During the concept plan review we discussed how they should provide an access point to Parcel A and B. They discussed extending Turner Road all the way through from County Road 83 to County Road 90 was discussed. Due to some concerns with this option, the city discussed another alternative that would put access at Quaas Cutoff. Met Council said they'd want access on Turner Rd or Quaas. They looked at they could provide a right-of-way from the North and tie into the road in there. Quass Cutoff would have to be realigned. The applicant does own the property where the realignment would need to happen so it would not be an issue. The applicant provided drainage and utility easements and aligning lots. The question is what to do with Turner Rd. Maple Plain Orchards parcel has access on 90 but doesn't go to Drake Dr. The City requested that the applicant provide a partial road that would allow Turner road to come into the Maple Plain Orchards Parcel at some point in the future and not have any further access to County Road 90 should the Parcel someday be developed. Planning Commission reviewed and considered the dedication the applicant put into this plan. Bryant asked about credit for park dedication since he's giving a lot of right-of-way space. The public hearing preferred access on the North side. Commissioners recommended approval.

Betts asks how many acres per lot on average. Kaltsas says they average around 3.5-4 acre lots. Betts asks if this supposed to be a cluster development. Kaltsas says this is a rural residential subdivision. Betts asks why we are overlooking the park dedication. Kaltsas says the 1 acre right-of-way would be a tradeoff. Grotting asks if we consider this park dedication fee, would it be setting a precedent? Kaltsas says he wouldn't count the County Road right-of-way, but only Quaas and Turner should be considered. Grotting asks if it would remain Rural Residential. Kaltsas says we would reguide it to the higher density. The powerline is a good divider line.

Spencer asks if it is explained well? Bryant Johnson says yes.

Motion by Grotting, second by McCoy to approve Resolution No. 21-0921-01 the approval of a minor subdivision to split the property into two parcels. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Motion by Betts, second by Grotting to approve Resolution No. 21-0921-01 the approval of the rezoning of the subject property from AG-Agriculture to RR-Rural Residential. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Motion by McCoy, second by Betts to approve Resolution No. 21-0921-02 the approval of a Preliminary Plat to allow a 13-lot subdivision to be known as Hilltop Prairie Subdivision. Ayes: Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: Johnson. MOTION DECLARED CARRIED.

Mayor Johnson returned to chair.

9. Consider Approval of the 2022 Preliminary Budget and Tax Levy:

- a. **RESOLUTION NO. 21-0921-03** – Establishing the General and Debt Service Preliminary Tax Levy and Setting a Date for the 2020 Truth in Taxation Meeting for December 1, 2020.
- b. **RESOLUTION NO. 21-0921-04** – Establishing the Pioneer Sarah Creek Watershed Management Commission Preliminary Tax Levy.

Kaltsas discussed the 3.03% increase in budget. The key items are fire and police budget in an attempt to fund their capital needs. We are funding 100% of our roads such as drain tile and seal coating. We now have a budget in line and manageable after completing 2 large road projects. Kaltsas compares the City of Independence to the surrounding cities. The tax capacity rates are remaining flat in comparison to some surrounding cities. We are establishing a preliminary tax-levy and we may be able to tweak this a little more before the end of the year as we are getting more numbers back from the Fire Departments from Delano and Maple Plain. Johnson thanks Kaltsas for his work. Johnson also reminds everyone that this is the maximum and there is room to go down.

Motion by Betts, second by McCoy to approve Resolution No. 21-0921-03. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by Betts to approve Resolution No. 21-0921-04. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Spencer mentions how much he appreciated Joe Baker for his hard work at keeping the budget level.

10. **PUBLIC HEARING:** Consideration of Conduit Bond Issuance.

- a. **RESOLUTION 21-0907-05:** Considering the authorization of the issuance, sale and delivery of charter school lease revenue bonds for Paladin Career and Technical High School in Coon Rapids, MN.

Kaltsas says this is the 3rd bond this year. This is for conduit financing for a Charter School Paladin Career and Technical School. The city is not issuing any debt this year. The city got \$100,000 from the 1st conduit bond that we issued. Gina from Kennedy-Graven explains about conduit bonds. They are requesting conduit bonds not to exceed \$8 million in bonds. This is no debt to the City, they are not pledging any taxes and it does not impact the city's credit rating. Brandon, the principle of Paladin thanks everyone and appreciates the relationship. It also benefits the city to make some money. They have had documentaries done on their school. They are a small school that has outgrown their current space that will hold 200 with a gym. They will be moving to Coon Rapids.

Motion to close public hearing by McCoy, second by Betts. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Grotting, second by Spencer to approve Resolution No. 21-0921-05 issuance of conduit bond. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

11. **PUBLIC HEARING:** Consider Approval of Vacation for that portion of a drainage and utility easement on the property generally located at the northeast intersection of County Road 11 and Woodhill Drive.

a. **RESOLUTION NO. 21-0921-06** – Approving the Vacation of the Subject Easement.

Motion to close public hearing by Spencer, second by Grotting. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by McCoy to approve Resolution No. 21-0921-06 Approving the Vacation of the Subject Easement. Ayes: Johnson, Grotting, Betts, McCoy and Spencer. Nays: None. Absent: None. Abstain: None. MOTION DECLARED CARRIED.

12. Open/Misc.

Kaltsas says he would like to commemorate the first night using the new space. We will do an official opening when it's done. Kaltsas says we would like to dedicate the new space as the "Marvin Johnson Community Room."

13. Adjourn.

Motion by Spencer, second by McCoy to adjourn at 7:41 p.m. Ayes: Johnson, Grotting, Betts, and Spencer. Nays: None. Absent: McCoy. None. Abstain: None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Amber Simon / Recording Secretary

DRAFT

City of Independence

Request for Site Plan Review and Conditional Use Permit for the Property located at 1985 County Road 90

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	October 5, 2021
<i>Applicant:</i>	Sam's Landscape, Inc.
<i>Owner:</i>	1985 Co Rd 90 LLC
<i>Location:</i>	1985 County Road 90

Request:

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:

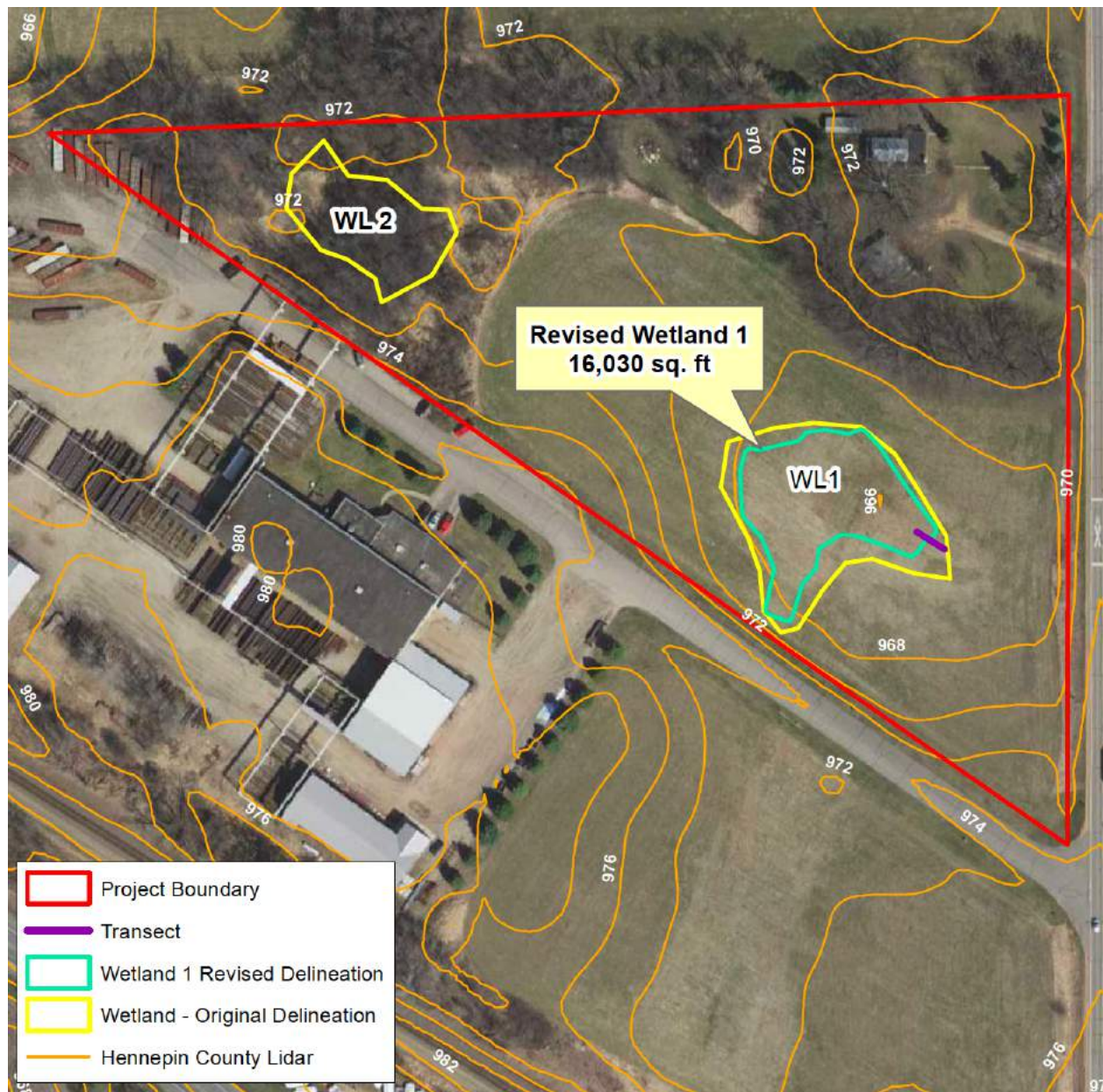
Property Information: 1985 County Road 90
Zoning: CLI - *Commercial Light Industrial*
Comprehensive Plan: *Commercial Light Industrial*
Acreage: 7.56 acres



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 City:

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.

3. 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.	122.67'
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 side lot line.	20' front/10' side

The proposed buildings would meet all applicable setbacks.

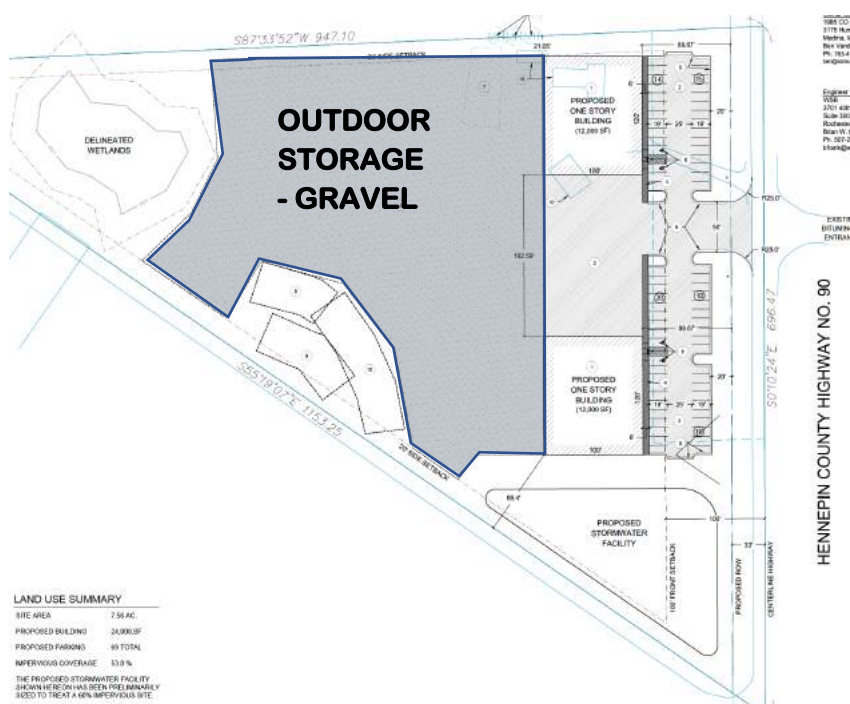
4. Landscaping - Landscaping is required for new construction within all requisite setback areas. Minimum landscape requirements in the protective buffer must include one tree (at least 2.5-inch caliper deciduous tree or six-foot-high conifer tree) for each 40 feet of property line. The protective buffer 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 City 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.
5. 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.
6. 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.

7. 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 the fence would therefore 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 budlings. Based on the Planning Commission Discussion, it was recommended that the applicant utilize an opaque fence along the north and east property boundaries to screen the outdoor storage from public view. The remainder of the property could be screened using a chain link or similar fence and landscaping.



8. 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.

Planning Commission Review and Recommendation:

Planning Commissioners reviewed the request and asked questions of staff and the applicant. Commissioners discussed the proposed site plan and asked the applicant what would be stored in the outdoor storage area. It was noted that the applicant was intending to store bulk materials, plants, vehicles, and equipment in the area. Commissioners recommended that a condition be added that prohibits the owner or owners' occupants from renting/allowing storage of anything that is from an outside businesses or as rental storage space. Commissioners discussed the fencing around the site perimeter and recommended that an opaque fence other than chain-link with slats be installed along the north and east sides of the site to screen the outdoor storage from public view. Commissioners recommended that the applicant meet all applicable landscape requirements. Commissioners discussed the conditional use permit and the impervious coverage and noted that if the applicant could meet the additional stormwater requirements associated with the increased impervious, that the 53% coverage appeared to be a reasonable request. Ultimately, the Planning Commission recommended approval of the requested site plan review and conditional use permit with the conditions and findings provided in this report and attached resolution.

Recommendation:

The Planning Commission recommended approval of the requested site plan review and conditional use permit with the following findings and conditions:

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 conditional use permit will include the following conditions:

- a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
 - b. 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. City Council approval of the site plan review and conditional use permit is subject to the following items being fully completed:
 - a. The applicant shall submit a final landscape plan and receive City approval prior City Council consideration.
 - b. The applicant shall submit a full set of construction plans including a grading plan, site plan and stormwater management plan and associated calculations and shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
 - c. The applicant shall submit a fence plan and fence detail for review and approval by the City prior to construction. The City will require an opaque fence (not chain link) along the north and east boundaries to screen the outdoor storage area. A chain-link fence, in combination with required landscaping, can be used along the south and west boundaries.
 - d. The applicant shall receive approval of the proposed access from Hennepin County.
4. All buildings and 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.
5. 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 (CLI) zoning district.
6. All improvements shall be in accordance with the approved plans attached hereto as Exhibit B.
7. Screening of the outdoor storage area (fence and landscaping) shall be maintained, repaired and replaced as needed to ensure that it is in place at all times in accordance with the approved landscaping and screening plans.
8. The outdoor storage area will be limited to use by the owner and owner's tenants of this property only. No renting of outdoor storage space shall be permitted.
9. The Applicant shall pay for all costs associated with the City's review of the requested site plan and conditional use permit approval.
10. The resolution shall be recorded against the property.

Attachments:

1. Application
2. Site Plan
3. Landscape Plan
4. Building Elevations/Renderings
5. Site Images



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-1005-01

**RESOLUTION APPROVING SITE PLAN REVIEW AND A CONDITIONAL USE
PERMIT TO ALLOW THE CONSTRUCTION OF A NEW BUILDING AND
ASSOCIATED SITE IMPROVEMENTS ON THE
PROPERTY LOCATED AT 1985 COUNTY ROAD 90 N**

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 2010 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, Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) are requesting site plan review and a conditional use permit for the property located at 1985 County Road 90 (PID No. 22-118-24-41-0005) in the City of Independence, MN (the “Property”); and

WHEREAS, the Property is zoned Commercial Light Industrial – CLI; and

WHEREAS, the Property is legally described as shown and depicted on **Exhibit A** attached hereto; and

WHEREAS the requested site plan review and conditional use permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for property zoned Commercial Light Industrial - CLI; and

WHEREAS the Planning Commission held a public hearing on September 21, 2021 to review the application for site plan review and 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.

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 Sam Vandeputte and grants approval of the site plan review and conditional use permit for the subject property in accordance with the City's zoning regulations with the following findings and conditions:

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 conditional use permit will include the following conditions:
 - a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
 - b. 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. City Council approval of the site plan review and conditional use permit is subject to the following items being fully completed:
 - a. The applicant shall submit a final landscape plan and receive City approval prior City Council consideration.
 - b. The applicant submit a full set of construction plans including a grading plan, site plan and stormwater management plan and associated calculations and shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
 - c. The applicant shall submit a fence plan and detail for review and approval by the City prior to construction. The City will require an opaque fence (not chain link) along the north and east boundaries to screen the outdoor storage area. A chain-link fence, in combination with required landscaping, can be used along the south and west boundaries.
 - d. The applicant shall receive approval of the proposed access from Hennepin County.
4. All buildings and 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.
5. 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 (CLI) zoning district.
6. All improvements shall be in accordance with the approved plans attached hereto as **Exhibit B.**

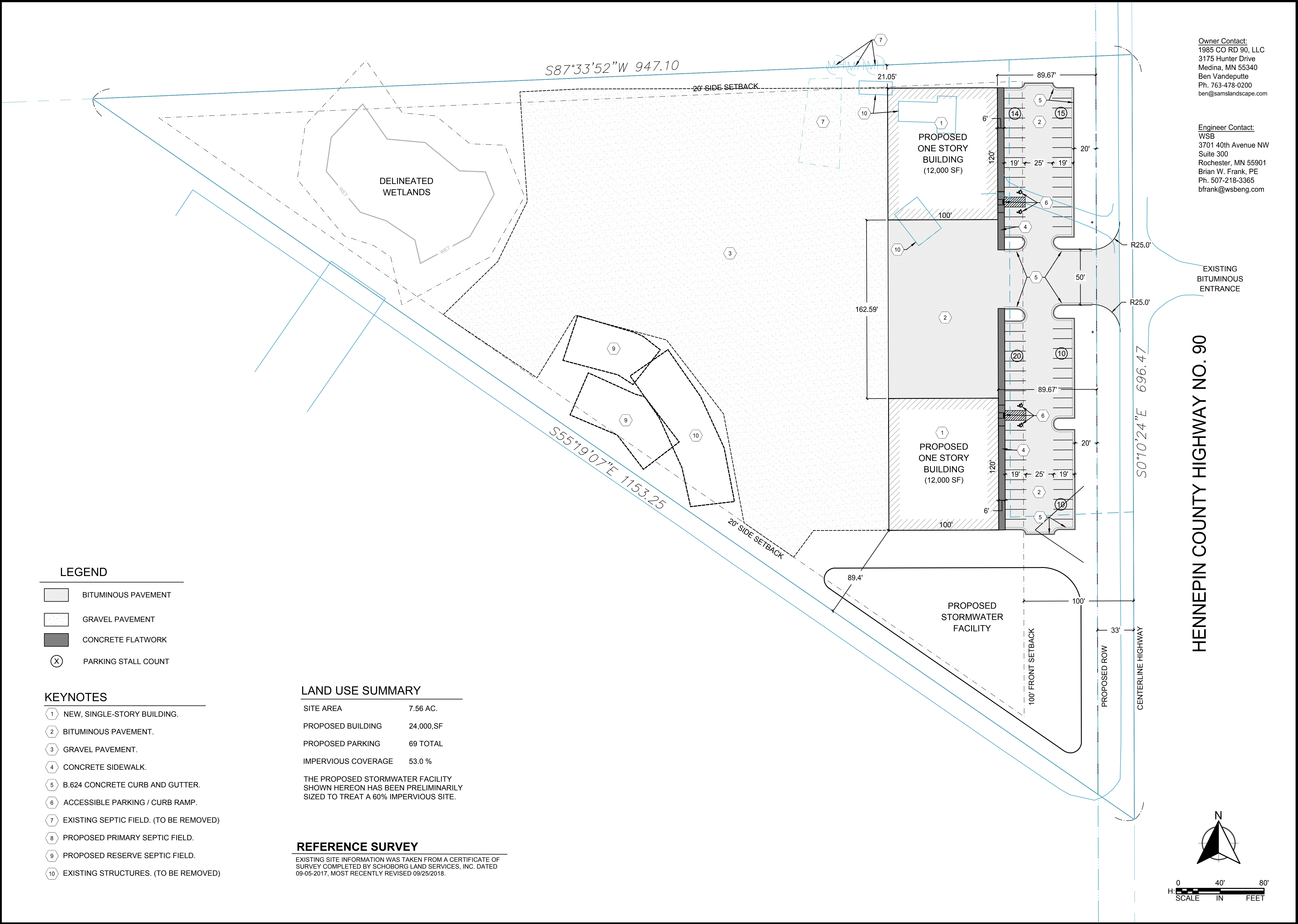
7. Screening of the outdoor shall be maintained, repaired and replaced as needed to ensure that it is in place at all times in accordance with the approved landscaping and screening plans.
8. The outdoor storage area will be limited to use by the owner and owner's tenants of this property only. No renting of outdoor storage space shall be permitted.
9. The Applicant shall pay for all costs associated with the City's review of the requested site plan and conditional use permit approval.
10. The resolution shall be recorded against the property.

This resolution was adopted by the City Council of the City of Independence on this 5th day of October, 2021, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator





WSB PROJECT NO.:
018085-000

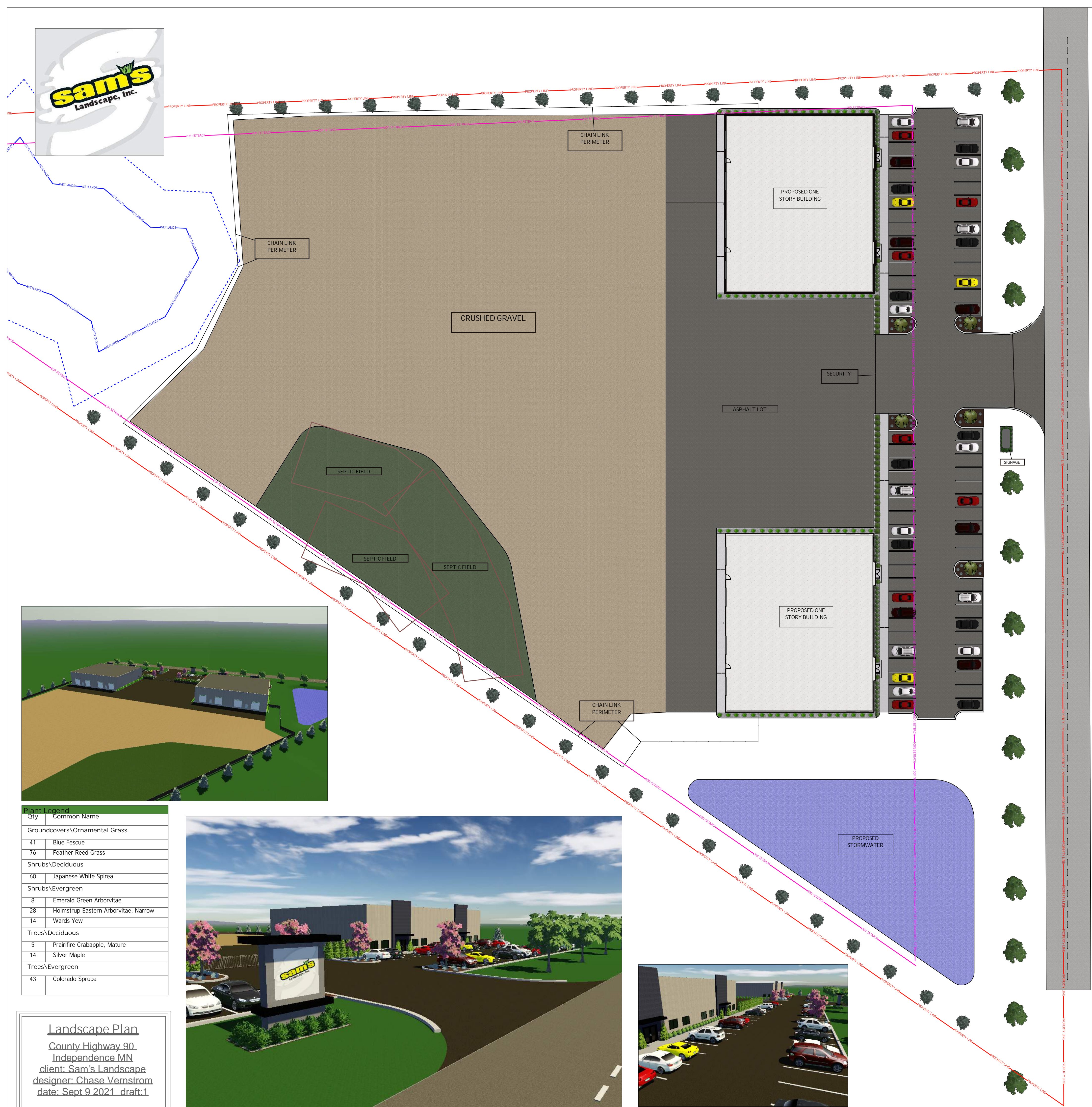
SCALE: AS SHOWN
DESIGN BY: BWF
PLAN BY: PJM
CHECK BY: BWF

NO.	DATE	DESCRIPTION

SAM'S LANDSCAPING
INDEPENDENCE, MINNESOTA

CONCEPTUAL
SITE PLAN

CS100



Plant Legend	
Qty	Common Name
Groundcovers\Ornamental Grass	
41	Blue Fescue
76	Feather Reed Grass
Shrubs\Deciduous	
60	Japanese White Spirea
Shrubs\Evergreen	
8	Emerald Green Arborvitae
28	Holmstrup Eastern Arborvitae, Narrow
14	Wards Yew
Trees\Deciduous	
5	Prairifire Crabapple, Mature
14	Silver Maple
Trees\Evergreen	
43	Colorado Spruce



Landscape Plan

County Highway 90

Independence MN

client: Sam's Landscape

designer: Chase Vernstrom

date: Sept 9 2021 draft:1















City of Independence
**Request for a Minor Subdivision to Allow a Lot Line Rearrangement
for the Property Located at 2914 Lindgren Lane**

To: City Council
From: Mark Kaltsas, City Planner
Meeting Date: October 5, 2021
Applicant: Katie and Brian Roers and Mary Fehn
Owner: Katie and Brian Roers and Mary Fehn
Location: 2914 and 2930 Lindgren Lane

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 2930 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. Both properties have shoreland on Lake Independence. There is an existing home and several small sheds located on the 2930 property. Both properties are accessed from Lindgren Lane although the 2914 property has no direct frontage on the road. The 2914 property access is provided across the City's property. The 2914 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)

2914 Lindgren Lane (bottom lot), 2930 Lindgren Lane (top lot)



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. At the public hearing the neighboring property owner to the north commented that delivery trucks and some visitors to the property were driving between the two properties which caused them with some concern.

Planning Commission Discussion and Recommendation:

The Planning Commission reviewed the request and asked questions of staff and the property owners. Commissioners discussed the cross-access issue and clarified that there was no formal cross-access easement between property owners. Commissioners recommended that the owners work together to close the cross access between the two properties if possible. Commissioners found that the request would bring the 2914 property closer to compliance with applicable standards and recommended approval to the City Council.

Recommendation:

The Planning Commission recommended approval of the requested minor subdivision to allow a lot line rearrangement with the following findings and conditions:

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.

Attachments:

Site Survey – Depicting both the Before and After Conditions



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-1005-02

**A RESOLUTION GRANTING APPROVAL OF A MINOR SUBDIVISION TO ALLOW
A LOT LINE REARRANGEMENT BETWEEN THE PROPERTIES LOCATED AT
2914 AND 2930 LINDGREN LANE**

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 2010 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, Katie and Brian Roers and Mary Fehn (the “Applicants”) submitted a request for minor subdivision to allow a lot line rearrangement between the properties located at 2914 and 2930 Lindgren Lane (PID No. 13-118-24-24-0006): (the “Property”); and

WHEREAS, the Property is zoned Rural Residential with the Shoreland Overlay; and

WHEREAS, the Properties are legally described on **Exhibit A** attached hereto; and

WHEREAS the requested Variance meets all requirements, standards and specifications of the City of Independence zoning ordinance for Rural Residential lots; and

WHEREAS the Planning Commission held a public hearing on September 21, 2021 to review the application for a minor subdivision, 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.

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 Katie and Brian Roers and Mary Fehn and grants a minor subdivision to allow a lot line

rearrangement for the property in accordance with the City's zoning regulations with the following findings and conditions:

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.

This resolution was adopted by the City Council of the City of Independence on this 5th day of October 2021, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A
(Legal Description)

EXISTING LEGAL DESCRIPTIONS:

Parcel 1: (Fehn)

Tract D, Registered Land Survey No. 1370

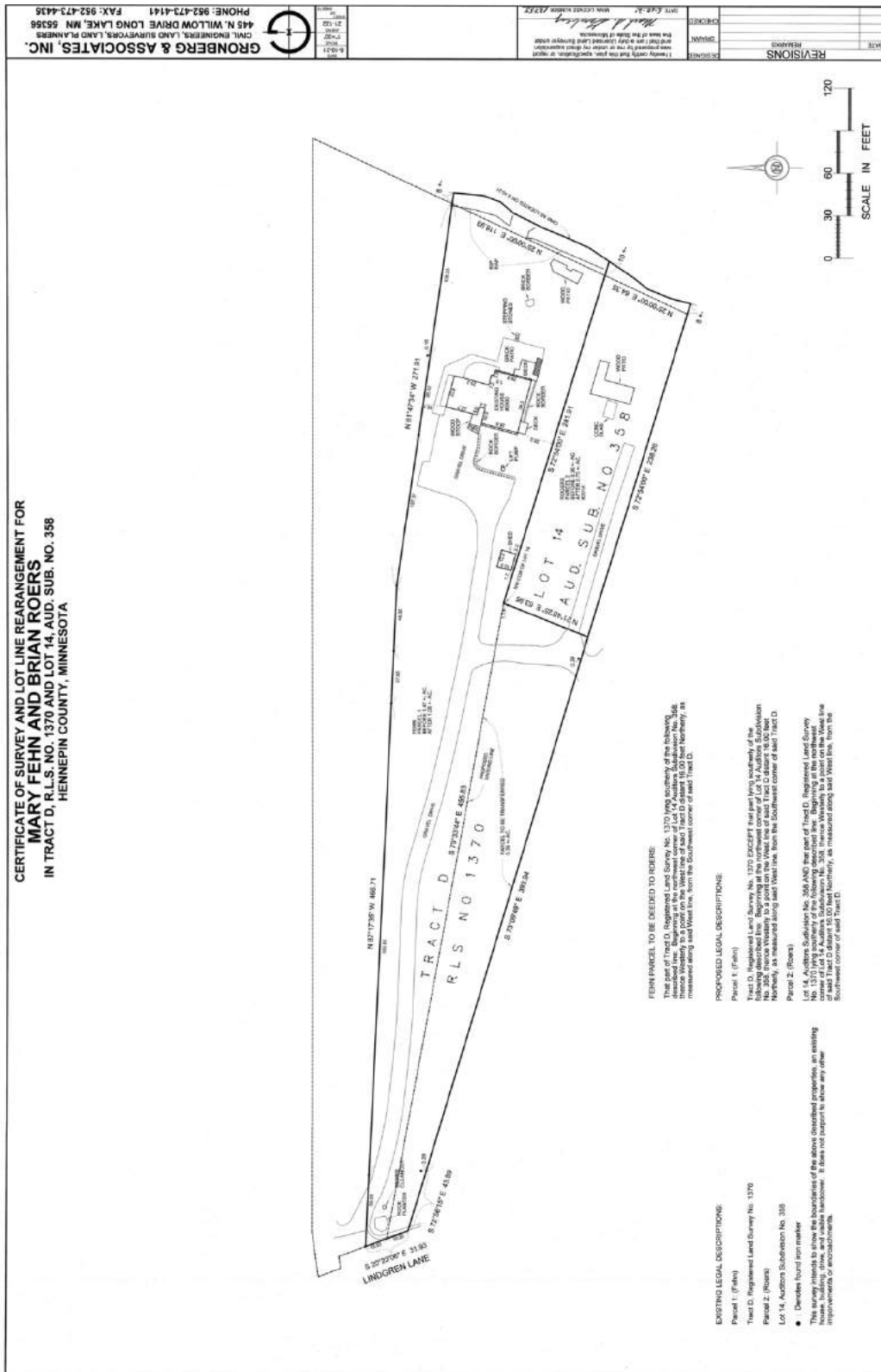
Parcel 2: (Roers)

Lot 14, Auditors Subdivision No. 358

● : Denotes found iron marker

This survey intends to show the boundaries of the above described properties, an existing house, building, drive, and visible hardcover. It does not purport to show any other improvements or encroachments.

(Site Plan)





**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: Katie Roers

Address: 2324 Copeland Rd
Independence, Minnesota
55359

Primary Phone: 612-308-0666

Email: katieroers@outlook.com

Owner Information

Name: Katie Roers

Address: 2324 Copeland Rd
Independence, Minnesota
55359

Primary Phone: 612-308-0666

Email: katieroers@outlook.com

Property Address:

PID:

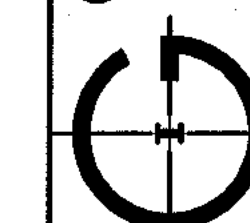
Planning Application Type: Other

Description:

Supporting Documents: Site Survey (Existing Conditions), Site Survey (Proposed Conditions)

Signature:

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	6-10-21
SCALE	1"=30'
JOB NO.	21-122
SHEET	

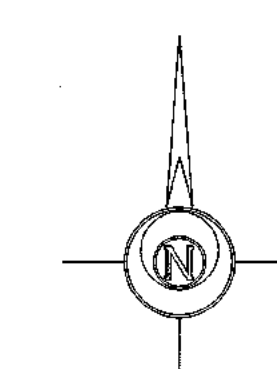
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

March 1. 1904

DESIGNED	DRAWN	CHECKED
----------	-------	---------

REVISIONS

1



0 30 60 120

SCALE IN FEET

Lot 14, Auditors Subdivision No. 358 AND that part of Tract D, Registered Land Survey No. 1370 lying southerly of the following described line: Beginning at the northwest corner of Lot 14 Auditors Subdivision No. 358, thence Westerly to a point on the West line of said Tract D distant 16.00 feet Northerly, as measured along said West line, from the Southwest corner of said Tract D.

City of Independence

Approval of Election Judges for the 2021 November General Election

To: City Council
From: Beth Horner, Assistant City Administrator
Meeting Date: October 5, 2021

Discussion:

The City Council is required to appoint election judges for the upcoming 2021 General Election. Staff has prepared a list of judges for consideration by the City Council. The following election judges can be considered for appointment by the City Council:

- Charlie Hayes
- Marilyn Hamilton
- Jerry Wise
- Damon Kocina
- Jon-Paul Story
- Sharon Cook
- Carol Neyens
- Amy McNellis

Recommendation:

It is recommended that the City Council approve **RESOLUTION 21-1005-03** appointing the aforementioned election judges for the November 2021 General Election.

Attachments: **RESOLUTION 21-1005-03**
Exhibit A



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-1005-03

**RESOLUTION APPROVING ELECTION JUDGES
FOR THE NOVEMBER 2, 2021 GENERAL ELECTIONS**

WHEREAS, Minnesota Election Law 204B.21 requires that persons serving as election judges be appointed by the Council at least 25 days before the election; and

WHEREAS, the individuals names on Exhibit A, and on file in the office of the City Clerk have submitted an application to be election judges for the November 2, 2021 General Election; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Independence that the individuals named on **Exhibit A** be approved as election judges for the November 2, 2021 General Election.

BE IT FURTHER RESOLVED that the City Clerk is authorized to make any substitutions or additions as deemed necessary.

BE IT FURTHER RESOLVED that those election judges who attend training and/or serve on Election Day be paid a wage of \$12.00 per hour with no benefits.

This resolution was adopted by the City Council of the City of Independence on this 5th day of October, 2021, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

Exhibit A

ELECTION JUDGES

FOR THE NOVEMBER 2, 2021 GENERAL ELECTION

Beth Horner, Election Coordinator

Amber Simon, Election Staff

Linda Johnson, Election Staff

Charlie Hayes

Marilyn Hamilton

Jerry Wise

Damon Kocina

Jon-Paul Story

Sharon Cook

Carol Neyens

Amy McNellis

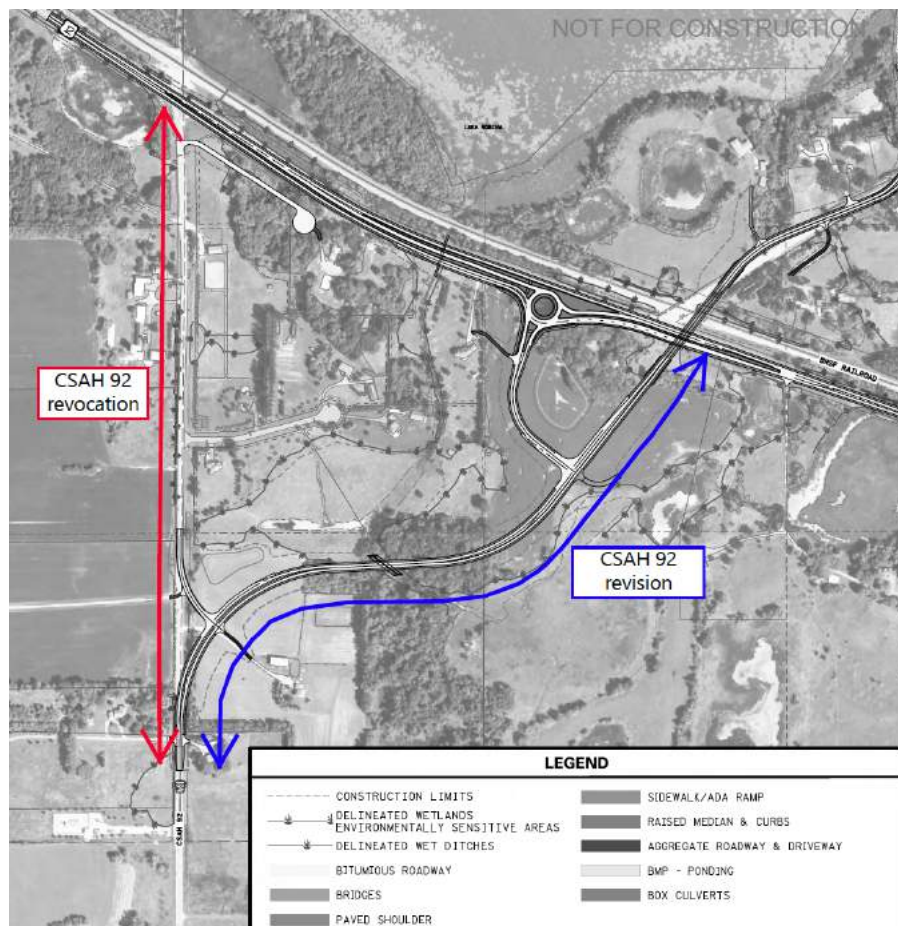
City of Independence

Approval of Jurisdictional Transfer of a Portion of CSAH 92

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: October 5, 2021

Discussion:

As a part of the CSAH 92/TH 12 reconstruction and overpass project, the City has been discussing the turnback of a portion of the CSAH 92 to the City. Hennepin County and the City have been negotiating the transfer of a portion CSAH 92 between the existing western junction of CSAH 92 and State Trunk Highway (TH) 12, then south approximately 2,850 ft from TH 12 as a result of the TH 12 reconstruction project which will realign the existing CSAH 92.



The City has generally agreed to take back the designated portion of County Road 92 along with taking over the new cul-de-sac that will be constructed just south of TH 12 to serve the property located at 7899 Highway 12. The County and City have identified the replacement of an existing culvert, the cost for a future mill and overlay and sign repair and maintenance. The total amount that would be paid to the City is \$107,600. The City has reviewed the costs associated with bringing the road up to an acceptable standard and believes that this is a fair payment. A more detailed overview of the transfer is provided within the attached Memo of Understanding.

Recommendation:

It is recommended that the City Council approve **RESOLUTION 21-1005-04** approving the agreement for jurisdictional transfer of County State Aid Highway 92. The City and County would complete the formal transfer agreement for future consideration following adoption of the Resolution.

Attachments: Memo of Understanding
RESOLUTION 21-1005-04
Attachment A



RESOLUTION OF THE
CITY OF INDEPENDENCE
HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 21-1005-04

**RESOLUTION APPROVING AGREEMENT FOR
JURISDICTIONAL TRANSFER OF COUNTY STATE AID
HIGHWAY NO. 92 (COUNTY ROAD 92)**

WHEREAS a portion of County State Aid Highway (CSAH) 92 lies within the corporate limits of Independence; and

WHEREAS Hennepin County (County) and the City of Independence (City) have been negotiating to bring about the transfer of CSAH 92 between the existing western junction of CSAH 92 and State Trunk Highway (TH) 12, thence continuing along the centerline of CSAH 92 southerly approximately 2,850 ft from TH 12 as a result of the TH 12 reconstruction project which will realign the existing CSAH 92; and

WHEREAS the County and City have been negotiating to revoke the following CSAH 92 remnant from the County State Aid system: beginning at the existing western junction of CSAH 92 and TH 12, thence continuing along the centerline of CSAH 92 southerly approximately 2,850 ft from TH 12, in Township 118, Range 24, Sections 16 & 17, as shown in Attachment A; and

WHEREAS, the County and City have agreed on the revised designation of CSAH 92 as follows: beginning approximately 2,850 feet south of the existing western junction of CSAH 92 and TH 12, thence continuing along a new northeasterly alignment approximately 3,000 feet to the junction of TH 12, in Township 118, Range 24, Sections 16, as shown in Attachment A; and

WHEREAS the negotiation will be carried out by the County and City hereto under the provisions of Minnesota Statutes, Section 162.17 Subdivision 1 and Section 471.59; and

WHEREAS, an Agreement for the Jurisdictional Transfer of CSAH 92 has been developed, and is acceptable, which specifies the terms and responsibilities for the transfer;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Independence that the above-described CSAH 92 revocation and revised designation are in all things approved; and

BE IT FURTHER RESOLVED by the City Council of the City of Independence that Agreement PW 15-31-21 with Hennepin County concerning the jurisdictional transfer of remnant CSAH 92 segment is approved.



This resolution was adopted by the City Council of the City of Independence on this 5th day of October, 2021, by a vote of _____ ayes and _____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

Memo of Understanding

To: Mark Kaltsas, City of Independence City Administrator

From: Chad Ellos, Transportation Planning Division Manager
Ashley Morello, Transportation Planner

Date: May 4, 2021

Re: CSAH 92 remnant - Jurisdictional Transfer

Introduction

The purpose of this memo is to outline the proposed jurisdictional transfer of a short segment of existing County State Aid Highway (CSAH) 92 from the western junction of Trunk Highway (TH) 12 (Babcock Boulevard) to the newly realigned CSAH 92 approximately a half-mile south of TH 12 in the City of Independence. Attachment A illustrates the location of the proposed transfer.

The junction of TH 12 and CSAH 92 is currently two offset T-intersections. The proposed TH 12/CSAH 92 project (S.P. 027-692-009 and S.P. 2713-124) will align the east and west legs of CSAH 92 with a grade separated crossing of TH 12 and the adjacent BNSF railroad. As a result, the county and city are proposing a portion of the former west leg of CSAH 92 be revoked from the County State Aid Highway system and added to the local city road network.

This memo of understanding serves as the first step for the county and city to develop the terms of the transfer. Both parties are given the opportunity to comment on the proposed terms in the following sections. The conditions agreed upon in this memo will inform a subsequent Jurisdictional Transfer Agreement between Hennepin County and the City of Independence which will require formal approvals from the city council and county board.

The existing conditions along the remnant CSAH 92 segment are as follows:

- Roadway functional classification: A-minor arterial connector
- Speed Limit: 55 mph
- Existing Traffic volume: 2,150 AADT (2018)

- Two-lane rural
- Approximately 83' of right of way

Upon completion of the TH 12/CSAH 92 project, the remaining segment of roadway that will become city jurisdiction will include:

- Approximately 60 feet of new roadway constructed at intersection with new city frontage road
- 1,615 feet of existing CSAH 92 roadway
- 435 feet of new roadway connecting existing CSAH 92 to the newly realigned CSAH 92

Refer to the included Attachment B for graphical representation of these areas.

Tentative Timeframe of Proposed Transfer

Action	Date
Initial discussions with affected cities (i.e.: Memo of Understanding Review & Consensus)	April/May 2021
Preparation of draft County Board Action Request (BAR) and Jurisdictional Transfer Agreement	April/May 2021
MnDOT State Aid Office concurrence with proposed action (informal)	April/May 2021
Submit sample resolution to city for adoption	May 2021
Resolution approved by County Board	June 22, 2021
Resolution approved by City Council	June/July 2021
Execution of Jurisdictional Transfer Agreement	July 2021
Submittal of Preliminary Package to MnDOT State Aid Office (i.e.: Approval of Systems Revision Request, map of project area)	August 2021
TH 12/CSAH 92 project construction	Fall 2021 through Fall 2022
Submittal of final package to MnDOT State Aid Office	Upon substantial completion and open to traffic (approx. Fall 2022)
MnDOT Commissioner order revoking segment of CSAH 92	Following submittal of final package to MnDOT

Proposed Agreement

The contents of this memo of understanding will be incorporated into a Jurisdictional Transfer Agreement outlining topics such as legal terms of the agreement, potential financial considerations, jurisdiction ownership, and maintenance responsibilities. The Jurisdictional Transfer Agreement will be effective once it has been executed by the city and county.

Jurisdiction and Ownership

As a County State Aid Highway, the CSAH 92 realignment prompts the revocation and jurisdictional transfer guided in accordance with Minn. Stat. 162.02, Subd. 10 which identifies the State Aid abandonment or revocation process. Following execution of the Jurisdictional Transfer Agreement and reopening CSAH 92 to traffic along the new alignment, the remnant CSAH 92 segment will be revoked from the County State Aid Highway system and added to the local city road network.

Upon completion of the transfer, and the construction of the newly realigned CSAH 92, the county will remove county signs and route markers and will share historical records and information related to the segment being transferred. The city will assume responsibilities of the remnant segment of CSAH 92 and will be responsible for installing city-owned route markers and signs.

Operations and Maintenance

Following execution of the Jurisdictional Transfer Agreement and completion of the TH 12/CSAH 92 project, the city will assume ownership and perform maintenance based on city practices for the following:

- Roadway
- Street lighting
- Pavement striping
- Storm sewer drainage system
- Landscaping

The remnant CSAH 92 segment does not include pedestrian or bicycle facilities.

Transfer Conditions

Per the County Jurisdictional Transfer Policy, a proposed transferred roadway should have an adequate 15-year service life to avoid burdening the accepting jurisdiction with undue maintenance needs. The county's intent is to provide a stable road to the accepting agency with adequate time to plan, fund, and ultimately reconstruct the road per its standards, specifications, and vision.

Given that the realignment of CSAH 92 is prompting the rerouting of the existing county road, the city will be taking ownership and maintenance responsibilities of the remnant of CSAH 92. In alignment with the county's Jurisdictional Transfer Policy, a cash equivalent, as outlined in Table 1, equals the value of the necessary improvements that will bring the roadway up to a 15-year service life.

Table 1: CSAH 92 Remnant Transfer Estimate

Item Description	Unit	Quantity	Unit Price	Amount
3" mill and overlay	Lane miles	0.7	\$110,00	\$77,000
Sign repair/maintenance	Each	12	\$50	\$600
Culvert replacement	each	1	\$30,000	\$30,000
TOTAL ESTIMATE				\$107,600

Certain assets associated with the new realigned CSAH 92 will be maintained by the city, per the county's Cost Participation and Maintenance Policies, the terms of which will be outlined in the overall TH 12/CSAH 92 Cooperative Agreement between MnDOT, the county, and the city.

Authorized Representatives

To accomplish this jurisdictional transfer agreement, the following County and the City representatives shall develop this Agreement on behalf of the County and the City:

County of Hennepin

Chad Ellos, Transportation Planning Division Manager
Hennepin County Public Works
1600 Prairie Drive, Medina, MN 55340
612-596-0395
Chad.ellos@hennepin.us

City of Independence

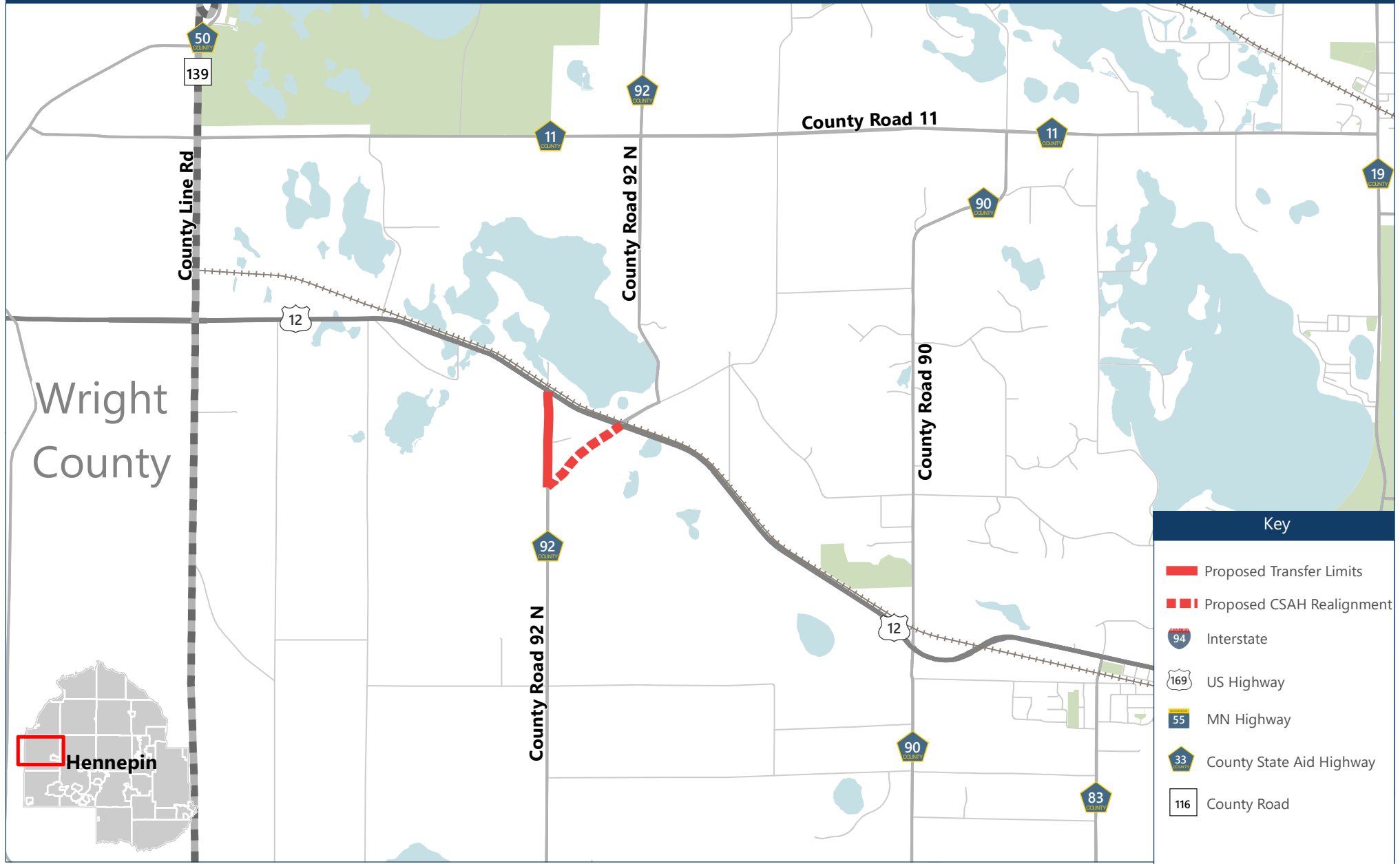
Mark Kaltsas, City of Independence City Administrator
1920 County Rd 90
Independence, MN 55359
612-567-8786
mkaltsas@ci.independence.mn.us

The Authorized Representatives agree to pursue this jurisdictional transfer per the conditions mentioned previously in this document. The parties will continue to coordinate the terms for the Jurisdictional Transfer Agreement and resolution.

Attachment A: CSAH 92 (County Rd 92)

Jurisdictional Transfer | Hennepin County Public Works

HENNEPIN COUNTY
MINNESOTA



Disclaimer: This map (i) is furnished "AS IS" with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this map.

Publication date: 2/5/2021

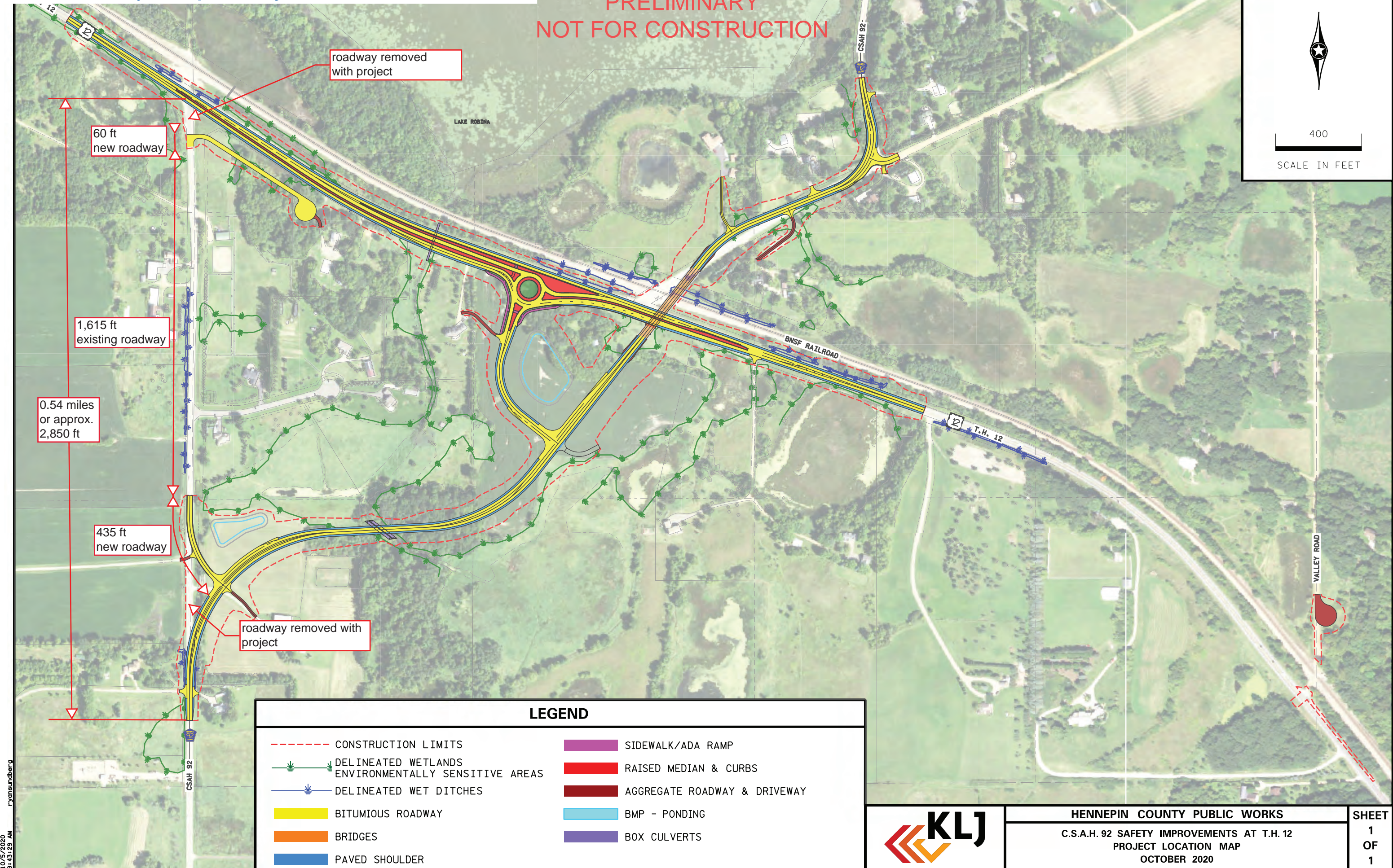
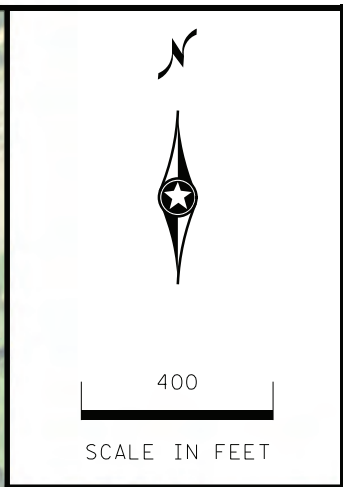
Data sources (if applicable):



Attachment B | CSAH 92 (County Rd 92)

Jurisdictional Transfer | Hennepin County Public Works

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

HENNEPIN COUNTY

MINNESOTA

Hennepin County, Board of Commissioners RESOLUTION 21-0221

2021

The following resolution was moved by Commissioner Chris LaTondresse and seconded by Commissioner Angela Conley:

BE IT RESOLVED, that the County Administrator be authorized to execute Amendment 2 to Agreement PR00000857 with Kadrmass Lee & Jackson (KLJ), Inc. to continue to provide final design engineering and analysis services for safety improvements and realignment of County State Aid Highway (CSAH) 92 at Trunk Highway (TH) 12 in the city of Independence, County Project (CP) 2161100, increasing the contract amount by \$100,000 to a new total not to exceed \$2,500,000 and extending the contract period to June 1, 2023; that upon review and approval by the County Attorney's office, the Chair of the Board be authorized to sign the amendment on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 17-40-21 with the Minnesota Department of Transportation (MnDOT) (State Contract No. 1045773) and the city of Independence for cost participation and maintenance responsibilities for improvements on CSAH 92 at TH 12 as a part of MnDOT's Highway 12 corridor safety improvement projects, CP 2161100; at an estimated county cost of \$8,795,272; that upon review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 16-40-21 with MnDOT to accept Local Road Improvement Program (LRIP) grant funds for the reconstruction of CSAH 92 at TH 12 in the city of Independence, CP 2161100, in the amount of \$11,300,000; that upon review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to accept and disburse funds as directed; and

BE IT FURTHER RESOLVED, that the remnant CSAH 92 segment in the city of Independence, described as follows, to-wit: beginning at the existing western junction of CSAH 92 and TH 12, thence continuing along the centerline of CSAH 92 southerly approximately 2,850 ft from TH 12, in Township 118, Range 24, Sections 16 & 17, as shown in Attachment A, be and hereby is, revoked as a Hennepin County State Aid Highway subject to the approval of the Commissioner of Transportation of the State of Minnesota; and

BE IT FURTHER RESOLVED, that the realigned CSAH 92 in the city of Independence, described as follows, to-wit: beginning approximately 2,850 feet south of the existing western junction of CSAH 92 and TH 12, thence continuing along a new northeasterly alignment approximately 3,000 feet to the junction of TH 12, in Township 118, Range 24, Sections 16, as shown in Attachment A, be and hereby is located and designated a Hennepin County State Aid Highway, subject to the approval of the Commissioner of Transportation of the State of Minnesota; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to negotiate Agreement PW 15-31-21 with the city of Independence to establish county and city responsibilities for the jurisdictional transfer of the remnant CSAH 92 segment to the city of Independence, at an estimated county cost of \$107,600, CP 2183500; that following review and approval by the County Attorney's Office, the Chair of the Board be authorized to sign the agreement on behalf of the county; and that the Controller be authorized to disburse funds as directed.

The question was on the adoption of the resolution and there were 5 YEAS and 0 NAYS, as follows:

County of Hennepin Board of County Commissioners

YEAS: Anderson, Conley, Fernando, LaTondresse, Lunde


NAYS:

ABSTAIN:

ABSENT: Goettel, Greene

RESOLUTION ADOPTED ON 6/22/2021

ATTEST:


Deputy/Clerk to the County Board

Hennepin County Board of Commissioners
300 South Sixth Street, Minneapolis, MN 55487
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