

MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, APRIL 18, 2023, AT 7:30 PM

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: Commissioners Gardner (Chair), Dumas, Volkenant, Thompson, Tearse, Story, and Usset.

ABSENT: None.

STAFF: City Administrator Kaltsas, Administrative Services Director Simon

VISITORS: See Sign-In Sheet

3. Approval of Minutes:

a. February 21, 2023, Planning Commission Meeting Minutes.

b. April 4, 2023, City Council Meeting Minutes (For Information Only)

**Motion by Thompson, seconded by Volkenant to approve the minutes.**

**Ayes: Gardner, Dumas, Volkenant, Thompson, Tearse, Story, and Usset. Nays: None.**

**Absent: None. Abstain: None. Motion Approved. 5-0**

4. **PUBLIC HEARING:** Seasonal Investments, LLC, (Applicant) and 1980 County Road 90 LLC (Owner) request that the City consider the following action for the property located at 1980 County Road 90, Independence, MN (PID No. 23-118-24-32-0011):

- a. Site plan review to allow the proposed development of two new storage buildings on the subject property.

***Property/Site Information:***

The property is located on the east side of CSAH 90 just north of the intersection of County Road 90 and Highway 12. The property is vacant and currently used by Sam's Landscape as an outdoor storage yard. There is a significant wetland located on the east side of the property. The property has the following characteristics:

**Property Information: 1980 County Road 90**

Zoning: CLI - *Commercial Light Industrial*

Comprehensive Plan *Light Industrial*

Acreage: *5.84 acres*

***Discussion:***

The applicant approached the City about the possibility of developing the property with two new commercial buildings for the purpose of indoor boat storage. The applicant has prepared plans for the proposed 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 review approval to allow the construction of two new single-level, 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.

The subject property is zoned CLI – Commercial Light Industrial. Warehouse and indoor storage are permitted within the CLI zoning district. The applicant owns and operates a commercial marina, repair and boat storage business and is seeking a location for additional indoor storage. The proposed development would be comprised of two 12,000 SF storage buildings. No outdoor storage is proposed at this time. New construction in the CLI zoning district requires the review and approval of the City. The review considers and analyzes how the proposed development meets the requirements of the zoning ordinance (Sections 530.17 and 530.23).

The City has adopted site and design requirements for commercial development. The City has reviewed the plans as they relate to the required standards provided in the zoning ordinance. The following items should be further considered by the Planning Commission:

1. Building Design – The City ordinance provides the following requirement for additions to commercial buildings:
  - a. Allowed materials for principal buildings. Principal commercial or industrial buildings in the commercial/industrial zoning district shall use the following materials on their exterior facades:
    - (1) Brick;
    - (2) Natural stone or stone veneers;
    - (3) Decorative concrete block (color impregnated with a split faced, robbed, or textured surface;
    - (4) Glass curtain wall panels;
    - (5) Stucco or synthetic stucco;
    - (6) Exterior insulation and finish systems (EIFS).

The applicant is proposing to construct two commercial buildings on the property. The applicant has confirmed that they will meet all applicable building material requirements but has not resubmitted a fully compliant building materials plan. The City anticipates that this will be submitted prior to the Planning Commission Meeting. The applicant has provided building elevations and images that provide dimensional and similar details for the proposed buildings. The general character and architecture of the proposed buildings is similar to that of other buildings in the general area.

2. Parking/Drive Access - The applicant is proposing to construct new bituminous access drive that have an ingress/egress coming off of the existing connecting driveway to CSAH 90 used by the adjacent property to the south. The proposed access driveway will also include

a concrete curb and gutter perimeter as required by ordinance. The City will require that the applicant furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.

The City initially commented on the driveway and fire department access and the plans have been updated to accommodate a compliant fire apparatus hammerhead.

The proposed use of the site for storage would not require additional off-street parking. Note that this site as proposed would not accommodate general business use and could not be broken down into individual lease spaces in the future. The proposed distance between buildings would not accommodate a drive aisle and parking spaces.

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

<u>Required</u>	<u>Proposed</u>
a. Front yard setback: 100 feet from centerline of road.	100' +
b. Side yard setback: 20 feet from side lot line.	25' N/20' S
c. Rear yard setback: 20 feet from rear lot line.	N/A
d. Setback from boundary of agricultural or rural residential dist.	N/A
e. Parking Setbacks: 20 feet from front /10 feet from side lot line.	N/A

The proposed buildings would meet all applicable setbacks.

4. Lighting – The applicant has noted wall mounted lighting over each garage door on the site plan. The City requires a photometric plan and detailed cut sheets for the proposed lighting. The City will require this to be submitted and reviewed for compliance prior to City Council consideration.
5. Landscaping - Landscaping is required for new construction within all requisite setback areas. The City has reviewed the proposed landscape plan. The plan generally meets the applicable requirements. The City would request that additional evergreen trees be planted along the east side of the buildings to screen views from the adjacent residential property to the northeast. The City can continue to work with the applicant to revise the plan to meet applicable requirements. Staff is seeking further direction from the Planning Commission relating to the requisite landscaping. Staff recommends that a condition be added to the site plan approval which requires submittal and approval of a final landscape plan.
6. Storm Water Management – The City’s engineer (Hakanson Anderson) has reviewed the plans and prepared comments in a letter dated March 6, 2023, and attached to this letter. The plans will need to be revised to accommodate the engineer’s comments and provide any requested information and or make and revisions and resubmit revised plans as necessary. This project will also require the review and approval of the watershed district. The plans will be revised prior to City Council consideration of the site plan review. The applicant has provided a stormwater management pond in the northwest corner of the site to accommodate runoff and quality control.
7. Lot Coverage – The maximum impervious lot coverage in the CLI zoning district is 30 percent. The overall site is 5.84 acres and impervious surface is broken down as follows:

	SITE AREA (ACRES)	IMPERVIOUS (ACRES)	IMPERVIOUS %
EXISTING CONDITION	5.84	1.17	20.0
PROPOSED CONDITION	5.84	0.90	15.4

The applicant is proposing to cover 15.4% 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.*

8. Sanitary Sewer – The proposed buildings will not have any finished interior space and will not have any bathroom facilities or water. There is an existing on-site septic system that would be removed as a part of the building/house demolition. The applicant is not proposing to preserve and or accommodate any on-site septic system which will limit future use of the proposed buildings.

The proposed development of this commercial property generally meets the intent and applicable requirements of the City’s CLI zoning district. The City will update the Planning Commission on the building materials and architecture and will be looking for Planning Commission direction and discussion at the meeting. 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.

***Recommendation:***

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

1. The proposed Site Plan Review 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 applicant shall submit a final landscape plan and receive City approval prior to City Council consideration.

3. The applicant shall submit a final lighting and photometric plan and detailed cut sheets for all proposed building and site lighting prior to and receive City approval prior to City Council consideration.
4. The applicant shall comply with all applicable storm water requirements and obtain all storm water approvals determined necessary.
5. The applicant shall receive approval of the proposed access from Hennepin County.
6. The City will require that the applicant furnish and ultimately record a cross access and maintenance agreement pertaining to the shared driveway access.
7. No outdoor storage is approved as a part of this approval.
8. Any future development or improvements made to this property will need to be in compliance with all applicable standards relating to the Commercial-Light Industrial zoning district.
9. The Applicant shall pay for all costs associated with the City's review of the requested site plan review approval.
10. The City Council resolution shall be recorded against the property.

Kaltsas reviewed for the Planning Commission the Applicant's Request, Property, Site Information, Discussion, and Recommendation from the packet. Seasonal Investments, LLC (Applicant) and 1980 Co Rd 90 LLC (Owner) are requesting a site plan review to add 2 new single level 12,000 SF storage buildings to be used for indoor commercial marina boat storage on the East side of Co Rd 90 North of the City Hall. The property is vacant and formerly used by Sam's Landscape as an outdoor storage yard. 2/3 of the property is significant wetland on the East side of property. Zoned: Commercial/Light Industrial and is about 5.5 acres. Sam is relocating across the street, and he is selling this site. The Applicant's proposed site plan shows access site with existing driveway. We would require cross access maintenance agreement of ingress egress. Included is a new driveway with hammerhead turnaround and a driveway between two proposed buildings. Buildings' depth of 60ft and length of 200 ft buildings. 5 overhead garage doors are on each building. All building setbacks would be met. They will take in wetland buffer. We looked at the overall building design. We have requirements for materials. In the principal buildings, they would not be able to be full steel. No exceptions are being asked for. See illustrations. Brick wanes coat on West facing Co Rd 90 side with steel stucco panel finish remaining 3 panels which meets City's requirements. Metal roof, brick on base, full stucco all the way around buildings. Parking and access with no office or other space with use. It's only indoor boat storage. No restrooms or anything else in the buildings. No other septic or sewer now or proposed for future. No parking requirements because it is 100% indoor storage. We looked at providing fire turnaround. He's proposing overhead door wall peck lighting and asked for lighting plan to be submitted to know the wall light being proposed. All open areas are to be landscaped. The illustration shows their keeping and will maintain some of the berm. We've asked that applicant have additional evergreen placed on the East side for screening from the residential homes across the wetlands. Pioneer Sarah Creek would need to give approval for stormwater management provisions. Allowed is a 30% maximum of overall site to be covered with impervious. Being 5.84 acres, in existing condition 1.17 acres (20%) is covered in impervious, and they are proposing to come down to .9 (15.4%). We've noted before that it is 30% of overall site. The majority of the site is wet. Ordinance request total land area not upland. With the berm along Co Rd 90, there is no room for under or above ground for sanitary sewer, but other types could

possibly be used in the future. This proposed commercial use fits and meets applicable requirements. Kaltsas opened up Planning Commission discussion.

Dumas – Are buildings heated or cold storage? With no parking on site, do they pick up the boat and bring it back or will customers be showing up with their own boats?

Thompson – Do we have good definition of outdoor storage, transient parking. What about picking up, dropping off for a day, week, month? Is that clearly laid out?

Kaltsas- There is no outdoor storage, and the ordinance clearly lays out no overnight parking. There's zero public pickup/drop-off here. We could stipulate that and add to the language.

Thompson- Parking and outdoor storage should be defined to restrict empty trailers, forklift, etc.

Kaltsas – That is not laid out as clearly as should be. This is not a public pickup/drop off, just by the marina. We could stipulate that because no parking is being provided. We could add to that language and be more specific on the public piece.

Thompson – No outdoor storage, what about empty trailers, forklift, etc.? There are probably definitions like overnight, public, parking.

Story – Are those trees to the North going to be disturbed at all?

Kaltsas – They shouldn't be impacted because they can't cross that line. There is some elevation, but it would be better, not worse.

Volkenant – To the East tree coverage, is that leaving the scrub already there?

Kaltsas – It kind of shows what is there, and I anticipate the existing scrub is in the wetland that won't be disturbed. They must follow wetland delineation, 25 ft buffer, 10 ft building setback, etc.

Gardner – There's a 970 there now which is the future for elevation.

Volkenant – Nothing would be able to be planted in there since it won't live.

Kaltsas – If we could balance that for some vegetation in there.

Gardner- If approved, it would be as drawn.

Dumas – Previously, people had to tear down Commercial storage because there was no primary structure, right?

Kaltsas – For Residential you have to, but in Commercial you can do this as it is the principal use.

Both buildings become the principal use for Commercial.

Gardner -It seems to be well constructed.

### **Gardner opened Public Hearing.**

Jerry Rockvam – Only our commercial marina trucks will be coming and going with the boats, and the buildings are not heated.

Gardner – There will likely be Spring and Fall rushes.

Kaltsas – We can make sure in resolution that there is no outdoor storage including trailers, etc., and no public pickup/drop off.

### **Motion by Dumas, second by Thompson to close Public Hearing.**

**Motion by Thompson, seconded by Tearse to recommend approval of the site plan for Seasonal Investments, LLC at 1980 County Rd 90, Independence (PID: 23-118-24-32-0011) subject to staff recommendations #1-#10 and changing #7- no outdoor storage and it is not limited to boats and adding #11- no public drop-off or access for normal business operations. Ayes: Gardner, Dumas, Volkenant, Thompson, Tearse, Story, and Usset. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0**

This will go to the next Council meeting on May 2<sup>nd</sup>.

5. **PUBLIC HEARING:** Jeffrey Pitzenberger (Applicant/Owner) requests that the City consider the following actions for the property located at 4082 Woodhill Drive, Independence, MN (PID No. 01-118-24-34-0012):

- a. A conditional use permit to allow an attached accessory dwelling unit.

***Property/Site Information:***

The property is located at 4082 Woodhill Drive which is on the northeast corner of CSAH 11 and Woodhill Drive. The property has frontage on Lake Sarah and comprised of mostly upland with a wetland on the east side of the property. A new single-family home is proposed on the property.

**Property Information: 4082 Woodhill Drive**

Zoning: *RR-Rural Residential (Shoreland Overlay)*

Comprehensive Plan: *RR-Rural Residential*

Acreage: *2.00 acres*

***Discussion:***

The applicant approached the City about the possibility of constructing a detached accessory dwelling unit on this property prior to acquiring the property. The property was recently platted as a part of the Lake Sarah Hill Subdivision. It was noted that the City's current ordinance does not allow detached accessory dwelling units (ADU's) on properties less than 2.5 acres. For properties less than 2.5 acres, ADU's are required to be attached to the principal structure.

The applicant applied for a Variance and CUP seeking approval of a detached ADU on the property. The Planning Commission did review the request in 2022, but the applicant ultimately withdrew the application. The applicant has revised the plans and request for an attached ADU to be connected to the proposed new single-family home on the property.

The City considers allowing ADU's as a conditional use in the RR-Rural Residential zoning district. The applicant has prepared plans for the development of the property which include both the principal and now attached accessory dwelling unit. The City has adopted standards requiring the ADU to be proportional and subordinate to the principal structure. The proposed principal house and accessory dwelling unit have the following specifics:

**Principal Home:**

3316 SF 1<sup>st</sup> and 2<sup>nd</sup> Floors (33% \* 3316 = 1094 SF)

**Accessory Dwelling Unit:**

Allowed SF

1094 SF allowed

Proposed SF

1,094 SF\* (Excludes attached garage)

\*Applicant has noted that the garage will be 453 SF.

<u>Setbacks</u>	<u>Required</u>	<u>Proposed</u>
Front Yard	85' from CL	100'+
Side Yard	30'	34' (north side)
Rear Yard	100' from OHWL	200'+

The proposed accessory dwelling unit is comprised of 2 bedrooms, 2 baths, kitchen, family room, dining room, mud room, mechanical and attached garage. In order for the City to consider a CUP for an accessory dwelling unit, the applicant will need to demonstrate how they meet all applicable criteria for granting a conditional use permit and for an accessory dwelling unit. The City has criteria broadly relating to Conditional Use Permits and then more focused criteria relating specifically to accessory dwelling units.

An accessory dwelling unit must meet the following criteria:

*Subd. 2. "Accessory Dwelling Unit." A secondary dwelling unit that is:*

- (a) *Physically attached to or within a single-family dwelling unit or within a detached<sup>a</sup> accessory building that has a principal structure on the parcel; and*

**The applicant is proposing to construct an attached accessory dwelling unit as a result of the property being less than 2.5 acres.**

- (b) *Subordinate in size to the single-family dwelling unit; and*

**The proposed accessory dwelling unit would be subordinate in size to the single-family dwelling unit.**

- (c) *Fully separated from the single-family dwelling unit by means of a wall or floor, with or without a door; and*

**The proposed accessory dwelling unit would be fully separated by the attached garage that would separate the principal home and the proposed accessory structure.**

- (d) *Architecturally compatible with the principal structure (using materials, finishes, style and colors similar to the principal structure); and*

**The proposed ADU has been designed to be architecturally similar to the proposed principal structure. Architecture and materials appear to be consistent with the existing home.**

- (e) *The lesser of 33% of the above ground living area of the principal structure or 1,200 square feet, and no less than 400 square feet; and*

**The principal structure is proposed to be 3,316 square feet of above ground living space not including the walkout basement. 33% of 3,316 square feet equals 1,094 square feet. The applicant has proposed a 1,094 SF detached accessory structure.**



(f) *Not in excess of the maximum square footage for accessory structures as permitted in this code; and*

**The existing property is 2.5 acres in size and is limited to 1,850 square feet for the total square footage for all detached accessory structures. The proposed attached structure would not count towards the total detached accessory structure SF.**

(g) *Has permanent provisions for cooking, living and sanitation; and*

**The applicant is proposing to construct permanent provisions for cooking; living and sanitation (see attached depiction).**

(h) *Has no more than 2 bedrooms; and*

**The applicant is proposing to have two (2) bedrooms within the proposed accessory dwelling unit.**

(i) Limited to relatives of the homesteaded owner occupants or the homesteaded owners of the principal structure. The total number of individuals that reside in both the principal dwelling unit and accessory dwelling unit may not exceed the number that is allowed by the building code; and

**The owner of the property is proposing that the accessory dwelling unit will be occupied by his family.**

(j) Uses the existing on-site septic system<sup>b</sup> or an approved holding tank; and

**The proposed accessory structure will be connected to the City sewer line that will also serve the principal residence.**

(k) Respectful of the future subdivision of the property and the primary and secondary septic sites. The City may require a sketch of the proposed future subdivision of a property; and

**The accessory structure does not impede the ability of the owner to subdivide the property in the future or utilize a secondary septic site.**

(l) In compliance with the adopted building code relating to all aspects of the dwelling unit.

**The applicant will be required to obtain a building permit for all proposed improvements.**

<sup>a</sup> *On lots less than 2.5 acres, the accessory dwelling unit must be attached to the principal dwelling unit or located/constructed within an existing detached accessory structure that meets all criteria of this section.*

<sup>b</sup> *The existing on-site septic system will be required to be inspected by the City to ensure compliance with all applicable standards. Any system that does not meet all applicable standards shall be brought into compliance as a part of the approval of the accessory dwelling unit.*

The applicant has discussed the proposed improvements to the property with the City. The applicant has submitted a site survey, floor plan and illustrations of the proposed ADU and principal structure. The accessory dwelling unit will need to meet all applicable building codes and building regulations.

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.*

There are several items that could be considered by the City:

1. The applicant has revised the proposed ADU to be an attached structure in compliance with the applicable standards for lots less than 2.5 acres.

Ultimately the City will need to find that the criteria for granting a conditional use permit have been satisfied by the applicant. This property is 2 acres in size and is limited to an attached ADU in accordance with the City standards. The proposed new home and ADU appear to be designed so that they are compatible and consistent.

***Neighbor Comments:***

The City has not received any written comments regarding the proposed conditional use permit to allow an accessory dwelling unit.

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission 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 in Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The Conditional Use Permit will be issued subject to the following items being completed:
  - a. The Conditional Use Permit will be subject to the applicant constructing the principal structure on the property and successfully obtaining and completing a building permit for all applicable improvements required for a dwelling unit.
  - b. The ADU can be no greater than 1,094 SF.
  - c. The ADU will be constructed in accordance with the approved plans.
  - d. The ADU will meet all applicable setbacks of the City's zoning ordinance. An updated and signed survey confirming and detailing all proposed building setbacks and grading and drainage will be required to be submitted prior to issuance of the building permit.
3. The Applicant shall pay for all costs associated with the City's review of the requested conditional use permit.

Kaltsas reviewed for the Planning Commission the Applicant's Request, Property, Site Information, Discussion, and Recommendation from the packet. Jeffrey Pitzenberger (Applicant/Owner) at 4082 Woodhill Drive (PID No. 01-118-24-34-0012) is requesting a Conditional Use Permit (CUP) for an attached Accessory Dwelling Unit (ADU). The property is on the East side of Woodhill Drive and the SW corner of Lake Sarah comprising mostly of upland with wetland on the East. A new single-family home is being constructed. It is zoned Rural Residential, guided by Rural Residential, and is 2 acres in size. We discussed this last year for CUP of a detached Accessory Dwelling Unit (ADU) which is not permitted on less than 2.5 acres. The Applicant withdrew variance portion but is now requesting an attached ADU to the new home being proposed. The City has provisions relating to ADUs (see requirements), ultimately the CUP criteria is considered. Construction of a new 3,016 sqft home of 1<sup>st</sup> and 2<sup>nd</sup> floors. We allow up to 33% of the total above ground sqft. or 1,200 sqft. whatever is less. Their proposed home would allow a 1,094 sqft attached accessory structure which excludes garage, storage, and mechanical room. The attached garage would attach the ADU. Setbacks are well over 100 ft from road, 34 ft from side backs, 200+ft from waterline. 2 bedrooms, 2 baths. ADU Requirements in packet were reviewed and are compliant here.

ADU must be attached to or within under 2.5 acres. Must be subordinate in size to principle. It is a single story, fully separated by the proposed garage between the two, and is architecturally consistent. It's limited to relatives/family members use. Uses city sewer. The layout of this site and narrowness of the lot, you

couldn't subdivide. Proposed use will not have a detrimental effect for purposes already permitted. It does fit in with the principal structure. It doesn't take away from reasonable use and enjoyment of surrounding properties or property. Applicant will need to obtain a building permit for the ADU and an updated survey to show setbacks, grading, and drainage. Only an architectural site plan is included in the packet. Elevations and floorplan are included so you can see how it would be attached. Kaltsas opened up Planning Commission discussion.

Gardner – Is that truly a 453 SF garage? I guess it doesn't really matter.

Kaltsas – The unfinished space could be used for a garage or for the finished principal dwelling, but the ADU must have a designated door to maintain that separation. We had discussion on how these are attached. Our ordinance does not specifically define attached vs. detached. We relied on MN State building code but noted that it would need to be something that is habitable and can't just be a hallway or breezeway. There are stipulations of 10 ft wide, etc. We may need to address this in the future. This is something that has come up once or twice in 10-15 years, but recently we've gotten more questions on it, and it may need to be addressed within the ordinance at some point.

### **Gardner opened Public Hearing.**

Jeffrey Pitzenberger, Owner – There is a garage door in that 8x10 ft space, and our in-laws are going to live in the attached ADU space.

### **Motion by Volkenant, second by Tearse to close Public Hearing.**

**Motion by Thompson, seconded by Dumas to approve the request for an attached accessory dwelling unit (ADU) for Jeffrey Pitzenberger at 4082 Woodhill Dr. (PID No: 01-118-24-34-0012) subject to staff conditions 1-3. Ayes: Gardner, Dumas, Volkenant, Thompson, Tearse, Story, and Usset. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0**

This will go to the next Council meeting on May 2<sup>nd</sup>.

### 6. Open/Misc.

The BridgeVine application should come back as Final Plat next month. The Auto Condos got approved by Council for Preliminary Plat, but we're still working on details with MNDot. They are insistent on taking away all access for that property, but we're not sure they can do that. We will get it resolved. The Kochs will begin construction on all of it, There's a Pre-Con next week. We received the first building permit for Hilltop Prairie off Co Rd 90. Lots of people are looking for development land.

### 7. Adjourn.

**Motion by Thompson, seconded Volkenant by to adjourn.**

Meeting adjourned at 8:14 p.m.

---

Respectfully Submitted,  
Linda Johnson/ Recording Secretary