



MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, OCTOBER 17, 2023, AT 7:30 PM

1. **Call to Order**

2. **Roll Call**

Present: Dumas, Volkenant, Gardner and Usset

Absent: Thompson, Tearse

Staff: City Administrator Kaltsas, Administrative Services Director Simon

Visitors: See Sign in sheet

3. **Approval of Minutes:**

a. August 29, 2023, Planning Commission Meeting Minutes.

b. September 19, 2023, City Council Meeting Minutes (For Information Only)

**Motion by Gardner to accept the minutes as written.**

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

**Nays:** None. Absent: Thompson, Tearse

**Abstain:** None.

**Motion Approved.** 4-0

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

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

***Property/Site Information:***

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

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

**Zoning: AG-Agriculture**

**Comprehensive Plan: AG-Agriculture**

Acreage (Before): *PID No. 08-118- 24-33-0007 – 4.07 acres*  
*PID No. 08-118- 24-33-0008 – 2.28 acres*  
Acreage (After): *6.35 acres*

**Discussion:**

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

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

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

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

**Neighbor Comments:**

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

**Recommendation:**

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

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

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

Kaltsas-North property has vacant house. South property is vacant. Both properties are heavily wooded. Both lots are Lake front on Lake Haughey, AG, AG, 6.35 acres overall. Lot line rearrangement. Meets all applicable setbacks. Properties in current condition are legal nonconforming. They could not resub divide this property in the future if they wanted to undo it. We will require dedication for drainage and utility easement. It would not be out of character for the area.

Gardener – I questioned it being ok with him not being able to do this again.  
Kaltsas – we reached out a couple times to make sure he is ok with this.

Open public hearing

**Motion by Usset to recommend approval of the request subject to staff recommendations 1-4, seconded by Volkenant to close the public hearing.**

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

**Nays:** None. Absent: Thompson, Tearse

**Abstain:** None.

**Motion Approved. 4-0**

5. **(TO BE CONTINUED TO NOVEMBER 14<sup>th</sup> PLANNING COMMISSION MEETING) PUBLIC HEARING:** Peter Johnson (Applicant/Owner) is requesting the following actions for the property located at 6220 CSAH 11 (PID No. 02-118-24-32-0001) in the City of Independence, MN:

- a. A minor subdivision to allow a lot split which would create a new eight (8) acre parcel on the north side of the existing creek and would be accessed via Stephanie Way.
- b. A variance to allow a new property to be created which has less than the requisite lot frontage on a public road or right of way.

**Motion by Usset to table the public hearing for this agenda item until the November 14th Planning Commission Meeting, seconded by Dumas.**

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

**Nays:** None. Absent: Thompson, Tearse

**Abstain:** None.

**Motion Approved.** 4-0

6. **PUBLIC HEARING:** Sam Vandeputte (Applicant) and 1985 Co Rd 90 Llc (Owner) is requesting the following action for the properties located at 1985 and 1989 County Road 90 (PID No.s 22-118-24-41-0005 and 22-118-24-41-0001) in the City of Independence, MN:
  - a. A minor subdivision to allow a lot combination which would combine the two properties into one property.

***Property/Site Information:***

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

**Property Information: 1985 and 1989 County Road 90**

Zoning: CLI - *Commercial Light Industrial* Comprehensive

Plan: *Commercial Light Industrial*

Acreage: 7.56 acres

***Discussion:***

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

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

***Neighbor Comments:***

The city has not received any written or verbal comments regarding the proposed site plan review and conditional use permit

***Recommendation:***

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision to allow a lot combination. Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be considered:

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

Kaltsas – noted during site review that this is a housekeeping item that needs to occur to build over the property lines. We have been talking and the surveyor got the paperwork together. Both zoned commercial LI, 7.5 acres overall. Remove property line. Record drainage and utility easements.

Dumas – there are no existing D & U easements?

Kaltsas – not yet.

**Motion by Usset to recommend of approval of the application regarding 1985 and 1989 Co Rd 90 subject to staff considerations 1-5, seconded by Volkenant.**

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

**Nays:** None. Absent: Thompson, Tearse

**Abstain:** None.

**Motion Approved.** 4-0

7. Open/Misc.

Gardener – what's happening with the cul-de-sac on Brei Kessel?

Kaltsas – I haven't heard any complaints in a while.

8. Adjourn.

**Motion by Volkenant to adjourn, seconded by Usset at 7:52PM.**

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

**Nays:** None. Absent: Thompson, Tearse

**Abstain:** None.

**Motion Approved.** 4-0

Meeting adjourned.

Respectfully Submitted,  
Carrie Solien/Recording Secretary