



PLANNING COMMISSION MEETING AGENDA
TUESDAY JULY 15, 2025

7:30 PM REGULAR MEETING

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - a. June 24, 2025, Planning Commission Meeting Minutes.
 - b. June 24, 2025, City Council Meeting Minutes (For Information Only).
4. **PUBLIC HEARING:** Sean Keating (Applicant/Owner) requests that the City consider the following action for the Properties located at 1875 Highsted Dr., Independence, MN (PID No.s 20-118-24-42-0002 and 20-118-24-42-0001):
 - a. A minor subdivision to allow a lot line rearrangement to realign the existing property line that separates the two properties. The proposed lot line rearrangement would shift the boundary away from the existing house and to the east which would bring the existing house into conformance with applicable building setbacks.
5. **PUBLIC HEARING:** Scott Kirchner (Applicant) and Leroy Kowalke Et Al (Owner) requests that the City consider the following action for the Property located at 6551 County Road 6, Independence, MN (PID No. 34-118-24-12-0001):
 - a. A minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south side of County Road 6 along the east property line.
6. Open/Misc.
7. Adjourn.



PLANNING COMMISSION MEETING AGENDA
TUESDAY JUNE 24, 2025

7:30 PM REGULAR MEETING

1. **Call to Order**

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

2. **Roll Call**

PRESENT: Gardner, Thompson, Tearse, Dumas, Alternates Story & Usset
ABSENT: Volkenant and Thompson
STAFF: City Administrator Kaltsas, Administrative Services Director Simon
VISITORS: See Sign in

3. **Approval of Minutes:**

- a. May 20, 2025, Planning Commission Meeting Minutes.
- b. June 3, 2025, City Council Meeting Minutes (For Information Only).

Motion by Story, seconded by Tearse to approve the minutes. Ayes: Gardner, Dumas, Tearse, Story and Usset. Nays: None. Absent: Volkenant & Thompson. Abstain: None. Motion Approved. 5-0

4. **PUBLIC HEARING** – Arman Taghizadeh (Applicant) and Mark Moorhouse (Owner) are requesting the following actions for the property located at 7949 County Road 11 (PID No. 09-118-24-22-0004) in the City of Independence, MN.

- a. A conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF.
- b. A variance to allow the ground mounted solar system to be located less than 100' from the side property line. The applicant owns both of the properties on either side of the property line.

Discussion:

Chair Gardner introduced the agenda item for a conditional use permit for a larger above-ground mounted solar system at 7949 County Road 11.

Mark from city staff presented the details of the application. He explained that the request was for a conditional use permit and variance to construct a ground-mounted solar system on the properties located at 7949 County Road 11 and 7855 County Road 11. The applicant and owner requested consideration for a ground-mounted solar system greater than 500 square feet, as well as a variance to allow the system to be located less than 100 feet from the side property line. Mark noted that the applicant owns both properties.

Mark described the location of the property on the south side of County Road 11, just west of the intersection with County Road 92. He stated there is an existing home and several detached accessory structures on the 40-acre property, which is zoned agriculture.

The city had provided the applicant with requirements and discussed the process for considering ground-mounted solar systems exceeding 500 square feet. Mark outlined the criteria in the ordinance for permitting systems over 500 square feet, including a maximum of 2,500 square feet, location on a property 5 acres or larger, and setbacks of 100 feet from property lines and 500 feet from residential structures.

Mark presented site plans showing the proposed location of four ground-mounted tracking solar arrays on the vacant piece of property just east of the property line separating the two parcels. The total square footage would be 2,244 square feet. He noted the applicant owns approximately 375 mostly contiguous acres in the area.

Due to the proposed location, the applicant was requesting a variance to place the arrays about 15-20 feet from the property line separating their two properties, rather than the required 100-foot setback. All other setbacks would be met. Mark showed the 500-foot radius from the arrays and noted the closest residential structures were over 500 feet away across County Road 11.

The maximum height of the solar arrays when angled at 28 degrees would be 15 feet. Mark said he had discussed with the applicant that the tracking system would be designed to not exceed the 28-degree angle.

Regarding screening, Mark explained the applicant is proposing to install berms - one 4-5 foot tall berm along County Road 11 that has already been installed, and a second 10-foot tall berm directly north of the proposed arrays. He showed grading plans depicting the berms.

Mark noted the total system size was 120 kWAC, which he described as very significant. The applicant intends to use it to serve their numerous buildings and properties in the location, aiming for energy neutrality.

Mark presented renderings provided by the applicant showing views of the proposed installation from various vantage points. He noted some discrepancies between the renderings and the actual plans regarding the second berm.

Chair Gardner opened the public hearing.

Cece Hardigan, the engineer who designed the system, provided clarifications. She explained the DC system size of 56.45 kilowatts relates to the number of panels, while the 120 kW AC size refers to the inverters needed to match the service entrance and allow for battery backup. She confirmed the system would never output more than 56.45 kilowatts.

Hardigan also addressed the tracker height, stating it was custom designed with a shorter column and factory programmed to a maximum 28-degree tilt to stay under 15 feet. She offered to provide written confirmation of this from the manufacturer.

Regarding the array spacing, Hardigan explained the 38-foot separation was the manufacturer's recommended clearance for preventing inter-tracker shading and allowing machinery access.

Arman, the project manager, confirmed the second berm was in the process of being built and offered to provide drone photos as evidence.

Commissioner Tarse motioned to close the public hearing, seconded by Dumas.

Public Hearing Closed.

The commission discussed concerns about granting a variance when the applicant could replat the properties. They also questioned the need for such wide spacing between arrays.

Mark suggested they could recommend the applicant complete the replatting process rather than granting a variance. He noted combining contiguous properties does afford some additional rights compared to a single property.

The commission ultimately decided to recommend approval with several conditions:

Motion made by Usset, seconded by Tarse to recommend approval of the request for 7949 County Road 11 for a conditional use permit to allow a ground mounted solar system which is greater than 500 square feet, subject to staff recommendations 1 through 3 with the additional recommendations:

- 1. Confirmation on the grading plan of the second berm in question**
- 2. Recommending the applicant formally replat to avoid needing a variance**
- 3. Proper documentation of the 28 degree tilt limit and 15 foot height maximum**
- 4. Confirmation of the horizontal tilt range to ensure neighboring properties will not be impacted**

Ayes: Gardner, Dumas, Tarse, Story and Usset. Nays: None. Absent: Volkenant & Thompson. Abstain: None. Motion Approved. The motion passed unanimously. 5-0

Mark noted this would go to the City Council for consideration at their July 15th meeting.

5. **PUBLIC HEARING** – Chloe Kirks (Applicant) and Andrew Fairbairn (Owner) are requesting the following actions for the property located at 7975 County Road 6 (PID No. 33-118-24-23-0001) in the City of Independence, MN.
- a. A conditional use permit (CUP) to allow a ground mounted solar system which is greater than 500 SF.

Mark presented the details for a conditional use permit request for a ground-mounted solar system at 7975 County Road 6. He explained the 7.73-acre property is zoned agriculture and located at the southeast corner of County Road 92 and County Road 6.

The applicant proposed a fixed ground-mounted array south and slightly west of the existing house. Mark provided setback details, noting all setbacks would comply with the 100-foot requirement. The array would be over 500 feet from the nearest residential structures.

The system would consist of 44 panels installed at a 35-degree angle with a maximum height of 12 feet. It would have a capacity of 16.89 kW AC / 17.8 kW DC. The total area would be 944 square feet, which exceeds the 500 square foot threshold but is well under the 2,500 square foot maximum.

Mark noted existing vegetation that would help screen the array from neighboring properties and roads. He estimated it may be partially visible from County Road 6 in winter, but would not be highly visible overall due to the 450-foot setback and southward orientation.

Chair Gardner opened the public hearing.

Cody from the solar company noted they believe the applicant obtained signatures from neighboring property owners on the plans, but would follow up to ensure those were submitted to the city.

Commissioner Tearse motioned to close the public hearing, seconded by Story.

Public Hearing Closed.

The commission briefly discussed the screening and visibility. Mark confirmed it would likely not be very noticeable from the road.

Motion made by Usset, seconded by Story to recommend approval of the conditional use permit to allow a ground mounted solar array which is greater than 500 square feet at 7975 County Road 6, subject to staff recommendations 1 through 3. Ayes: Gardner, Thompson, Dumas, Tearse, Story. Nays: None. Absent: Volkenant, Usset. Abstain: None. Motion Approved. 5-0

This item will go to the June 3rd council meeting.

6. Open/Misc.

Mark provided some updates on city projects:

- The gravel road project contract was awarded but may be delayed due to weather
- There will be a Planning Commission meeting in July with a couple applications
- Midco is building out fiber internet across the entire city
- A new boardwalk is being constructed across the creek in Pioneer Creek Park
- The pile of highway debris by the hill will be removed once conditions allow truck access

A commissioner mentioned a deep pothole at the intersection of Becker and Woodhill Lane. Mark said he would ensure it gets repaired.

7. Adjourn.

Motion by Story, seconded by Dumas to adjourn the meeting at 8:24pm. Motion Approved. 5-0

Respectfully Submitted,

Amber Simon/Recording Secretary

MINUTES OF A REGULAR MEETING OF
THE INDEPENDENCE CITY COUNCIL
TUESDAY, JUNE 24, 2025 – 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 Spencer at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE.

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Fisher, Grotting
ABSENT: None
STAFF: City Administrator Kaltsas, Administrative Services Director Simon,
Public Works Supervisor Ben Lehman, WHPS Chief DuRose
VISITORS: See Sign in Sheet

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 June 3, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable (Batch #1; Checks Numbered 23703-23720, Batch #2, Checks Numbered 23739-23756 and Batch #3, Checks Numbered 23757-23768, *please note that Checks Numbered 23721-23738 were voided due to printing error*).
- c. Large Assembly Permit:
 - i. Zuhrah Shrine Horse Patrol – October 4, 2025.
- d. Recommended Funds Transfer:
 - i. **RESOLUTION No. 25-0624-01** – Considering a transfer of \$35,218 from *Fund 100 – General Fund* to *Fund 407 – Public Safety*.

Motion by Fisher, seconded by McCoy to approve the Consent Agenda. Ayes: Spencer, McCoy, Betts, Grotting and Fisher. Nays: None. Absent: None. Abstain: None.
MOTION DECLARED CARRIED. 5-0

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

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

Fisher attended the following meetings:

- None

Betts attended the following meetings:

- None

McCoy attended the following meetings:

- May 28th Sensible Land Use Comp Plan review – mandating higher density

Grotting attended the following meetings:

- None

Spencer attended the following meetings:

- Party in the Park
- NW League meeting of Mayors
- Meeting with Kristin Robbins & Kaltsas
- Meeting with Mayor Maas-Kuske and Fire Chief Denneson about fire merger
- Battle of the Badges Organization meeting

Kaltsas attended the following meetings:

- None outside what has been mentioned

Simon attended the following meetings:

- None

7. West Hennepin Public Safety – Director Matthew DuRose: Presentation of the May 2025 Activity Report.

Public Safety Director Matt DuRose presented the May 2025 activity report for West Hennepin Public Safety. He highlighted an increase in incidents, attributing it to catching up on burn permits and increased traffic enforcement. Notable incidents included:

1. A second-degree DWI arrest of an individual with two priors.
2. A package theft investigation.
3. An assault complaint involving acquainted individuals, which was referred for prosecution.
4. Assistance to Maple Plain Fire with a significant fire on May 25th on Geggen-Tina Road.

DuRose noted that West Hennepin Public Safety had no direct involvement in the recent investigations or manhunt related to Representative Horton Portman or Senator Hoffman, but staff was on standby.

He reminded the council about the upcoming Night to Unite event on Tuesday, August 5th, encouraging neighborhoods to register their parties.

Councilmember Betts inquired about the Citizens Academy, to which DuRose responded that they plan to bring it back, possibly next spring.

Councilmember Grotting raised a question about e-bikes and potential city ordinances. DuRose and City Administrator Kaltsas explained that while e-bikes haven't been a significant issue in

Independence, neighboring jurisdictions have faced challenges. They noted that current enforcement often relies on DNR statutes.

Mayor Spencer asked about the city's recent safety ranking. DuRose reported that West Hennepin, Maple Plain, and Independence were ranked as the second safest cities in Minnesota, up from a previous ranking of third.

8. BridgeVine Development – Discussion Relating to Developer’s Letter Requesting Reconsideration of Sidewalk Requirement.

City Administrator Mark Kaltsas presented the issue regarding the BridgeVine development's sidewalk requirement. He explained that while reviewing the public improvements for the development, it was discovered that a sidewalk was included and approved in the final plat and plan unit development. The developer had requested reconsideration of this requirement.

Kaltsas provided background on the sidewalk's inclusion, noting it was added as a condition by the Planning Commission during the preliminary stage of development. He explained that the sidewalk was intended to address pedestrian safety concerns in the city's most dense subdivision.

Council members discussed the history of the sidewalk requirement, with some recalling discussions about pedestrian safety and the unique nature of the development. Councilmember Betts initially expressed confusion about the sidewalk's location and purpose but was clarified by Kaltsas.

After discussion, the council decided to uphold the original requirement for the sidewalk.

Motion to maintain the sidewalk requirement as originally approved in the Bridgevine development plans was made by Grotting, seconded by McCoy. Ayes: Spencer, McCoy, Betts, Grotting and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

9. A proposed text amendment to the City of Independence Ordinance as follows:

- a. **ORDINANCE No. 2025-03** – Considering a text amendment to Chapter VII, Section 705 of the city’s ordinance relating to regulations governing On-Site Sewage Treatment. The amendment will consider minor changes that will bring the ordinance into alignment with recent changes to state statute and also establish provisions relating to the “type” of systems allowed as alternate systems in the city. Council will also consider establishment of language requiring more specific language pertaining to the transfer of properties in the city.

City Administrator Mark Kaltsas presented the proposed text amendment to the ordinance governing on-site sewage treatment. He highlighted the following changes:

1. Additional language in subdivision 2a2 allowing the city to be named on and draw from the escrow.
2. A change to the fee schedule for private on-site septic compliance escrow to \$45,000.
3. In section 705.08, a change from "within 3 years" to "within 12 months" for bringing a system into compliance after a notice of noncompliance.

Kaltsas noted that he had researched exceptions for when SSTS compliance inspections are not needed but found the current language to be consistent with other municipalities.

Motion to approve Ordinance 2025-03, the text amendment to Chapter VII, Section 705 of the City's Ordinance Relating to Regulations Governing On-Site Sewage Treatment by McCoy, seconded by Betts. Ayes: Spencer, McCoy, Betts, and Fisher. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED. 5-0

- b. **RESOLUTION No. 25-0624-02** – Approving publication of a summary of Ordinance No. 2025-03.

Motion to approve Resolution No. 25-0624-02, approving the publication of a summary of Ordinance No. 2025-03, was made by Councilmember Betts, seconded by Councilmember Grotting. The motion carried unanimously. 5-0

As a separate motion, Kaltsas requested approval for the fee schedule change.

Motion to amend the fee schedule to include a \$45,000 private on-site septic on-site compliance escrow was made by Mayor Spencer, seconded by Councilmember Fisher. The motion carried unanimously. 5-0

10. Pioneer Sarah Creek Watershed Commission - Proposed 2026 Budget Review.

Mayor Spencer presented the preliminary 2026 budget from the Pioneer Sarah Creek Watershed Commission. He read a summary provided by Joe Baker, noting that while the overall budget increase was 2.5%, Independence's portion increased by 5.2% due to higher property value assessments.

Key points from the budget summary included:

1. A \$5,000 increase in Hennepin County staff allocation for administering the Watershed Based Implementation Funding (WBIF).
2. The watershed will receive \$241,000 over the next two years from the Board of Water and Soil.
3. The watershed is in a strong financial position to implement projects to improve water quality in Lake Independence, Lake Sarah, and Lake Rebecca.

Mayor Spencer also mentioned that Joe Baker had been nominated for a League of Minnesota Cities award, receiving support letters from various entities, though he was ultimately not selected.

Motion to recommend approval of the draft 2026 Pioneer Sarah Creek Watershed Commission budget was made by Mayor Spencer, seconded by Councilmember Betts. The motion carried unanimously. 5-0

11. Consideration of the 2025 Asphalt Maintenance and Repair Quotations.

City Administrator Mark Kaltsas presented the 2025 asphalt maintenance and repair quotations. He explained that the city annually inspects roads and identifies areas needing repair or maintenance. For this year, culvert and asphalt repairs were identified on Perkinsville Road, Woodhill Drive, and the intersection of Maine and County Road 90.

Kaltsas provided a breakdown of the recommended bids, totaling \$47,455, which is within the annual budget of \$55,000 for general maintenance. He noted that while competitive bids are required for projects over \$150,000, the city seeks multiple quotes for projects over \$25,000.

Motion to approve the asphalt maintenance and repair quotations as highlighted in Ben Lehman's report was made by Councilmember McCoy, seconded by Councilmember Fisher. The motion carried unanimously. 5-0

12. Open/Misc.

Mayor Spencer reminded everyone that the July 1st meeting had been canceled, with the next meeting scheduled for July 15th.

The council discussed rescheduling the August 5th meeting due to a conflict with Night to Unite. They agreed to move the meeting time to 5 PM to accommodate participation in Night to Unite events.

Motion to reschedule the August 5th meeting to 5 PM was made by Councilmember McCoy, seconded by Councilmember Betts. The motion carried unanimously. 5-0

13. Adjourn.

Motion to adjourn the meeting was made by Councilmember Fisher, seconded by Councilmember McCoy. The motion carried unanimously. 5-0

After the official adjournment, it was noted that it was Mayor Spencer's birthday. City Clerk Amber Simon had arranged for a cake to celebrate the occasion.

Meeting adjourned at 7:14 pm.

Respectfully Submitted,
Amber Simon/ Recording Secretary

■City of Independence

***Request for a Minor Subdivision to Allow a Lot Line Rearrangement Between
the Properties Located at and Adjacent to 1875 Highsted Drive***

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 15, 2025
<i>Applicant:</i>	Sean Keating
<i>Owner:</i>	Sean Keating
<i>Location:</i>	1875 Highsted Drive

Request:

Sean Keating (Applicant/Owner) requests that the City consider the following action for the Properties located at 1875 Highsted Dr., Independence, MN (PID No.s 20-118-24-42-0002 and 20-118-24-42-0001):

- a) A minor subdivision to allow a lot line rearrangement to realign the existing property line that separates the two properties. The proposed lot line rearrangement would shift the boundary away from the existing house and to the east which would bring the existing house and both lots into conformance with applicable building setbacks and lot standards.

Property/Site Information:

The properties are located on the end of Highsted Drive which comes off of Pioneer Creek Drive just west of CSAH 92. The west property has an existing home and detached accessory structure, and the east property is vacant. The property has the following characteristics:

Property Information: 1875 Highsted Drive (PID No. 20-118-24-42-0002)

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

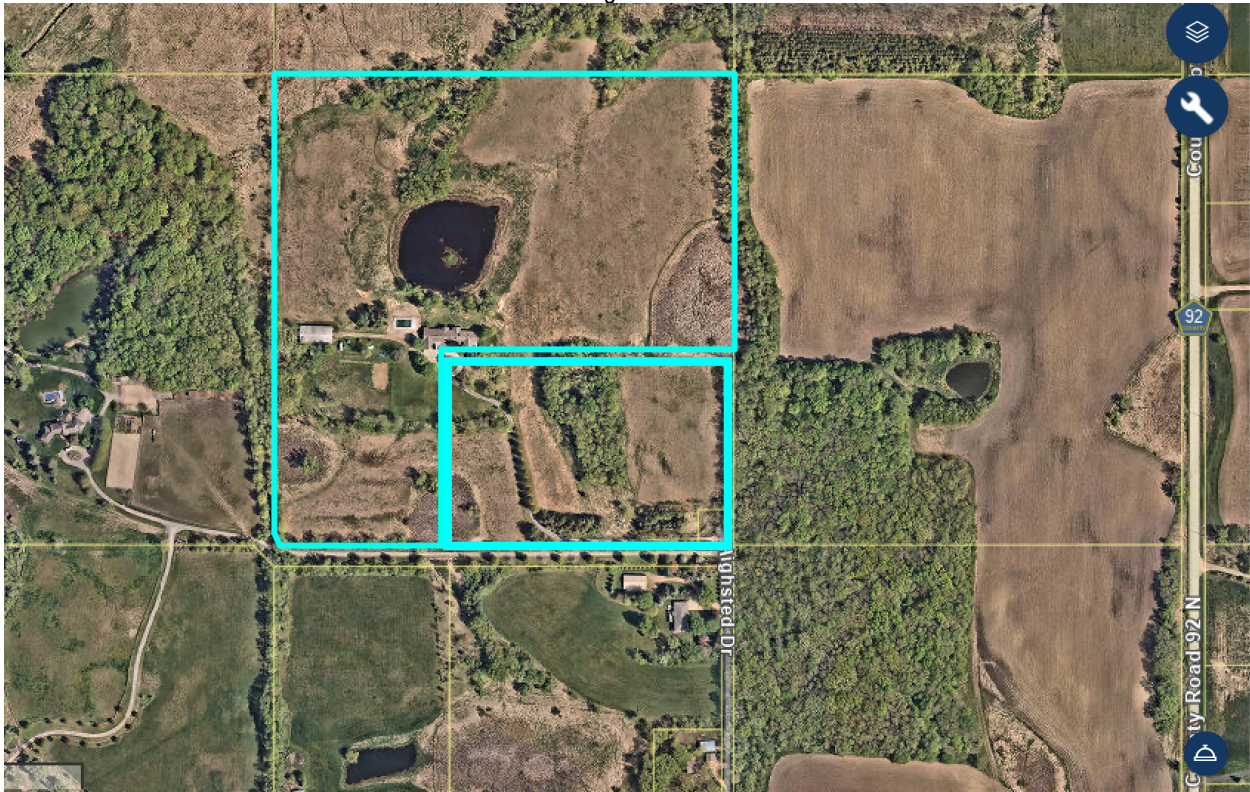
Acreage: Before – 29.05 acres
After – 29.46 acres (Proposed – Tract B)

Property Information: Unassigned Address (PID No. 20-118-24-42-0001)

Zoning: AG-Agriculture

Comprehensive Plan: AG-Agriculture

Acreage: Before – 10.42 acres
After – 10.00 acres (Proposed- Tract A)



Discussion:

The applicant is seeking a minor subdivision to allow a lot line rearrangement that would adjust the lot lines between the two existing properties. The applicant owns both properties. The current property line cuts through the existing house located on the west property. In the existing condition, both lots are considered lawful non-conforming lots. The existing home is also considered a lawful non-conforming structure. Note that the city does not have a record of how this condition occurred.

The proposed lot line rearrangement would adjust the configuration of the smaller 10-acre property so that it is oriented in a north south direction rather than an east west direction. The adjustment would make both lots and the existing home legal and fully conforming. The following should be noted by the city when reviewing the application.

- In the proposed condition, the existing home would meet all applicable building setbacks.
- In the proposed condition, Tract A appears to be a more suitable lot for a future home. The orientation would allow a home to be setback on the property which is consistent with the existing home.
- In the before condition, both lots do not have the requisite frontage on a public right of way. In the proposed condition, both lots would have the requisite frontage on Highsted Dr. (50' of frontage on a cul-de-sac).

- In the before condition, both lots are considered lots of record with a building entitlement for each lot. The requested lot line rearrangement will not change the total number of building entitlements.
- The applicant will be required to dedicate the requisite perimeter drainage and utility easements for both properties.

Neighbor Comments:

The City has not received any comments relating to the requested lot line rearrangement.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the requested minor subdivision to allow a lot line rearrangement with the following findings and conditions:

1. The proposed minor subdivision to allow a lot line rearrangement request meets all applicable conditions and restrictions stated Chapter V, Sections 500 and 510, Planning and Land Use Regulations and Zoning, in 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. City Council approval of the requested minor subdivision shall be subject to the following:
 - a. The applicant providing and executing the requisite drainage and utility easements.
4. The applicant shall record the subdivision, easements and City Council Resolution with the county within six (6) months of approval.

Attachments:

1. Application
 2. Survey (Before and After Conditions Shown on the Same Survey)
-



**CITY OF
INDEPENDENCE
MINNESOTA**

Date Submitted: 06-05-2025

Applicant Information

Name: Sean Keating
Address: 1875 Highsted Drive
Independence, Minnesota
55359
Primary Phone: 6123085677
Email: skeating@oggitalent.com

Owner Information

Name: Sean Keating
Address: 1875 Highsted Drive
Independence, Minnesota
55359
Primary Phone: 6123085677
Email: skeating@oggitalent.com

Property Address:

PID:

Planning Application Type: Subdivision

Subdivision Type: Lot Line Rearrangement

Description:

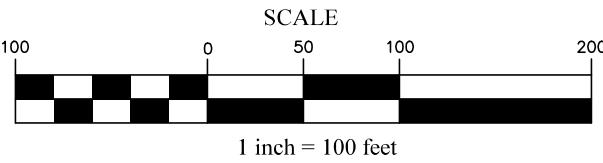
Supporting Documents: Preliminary/Final Plan

Signature:

Certificate of Survey

Prepared for:
Sean Keating

- Legend
- Found Iron Monument
 - Set Iron Monument (LS 48328)
 - Existing Well
 - Septic System



Boundary Description (per Doc. No. 11242928) ("Parcel 1") (PID No. 2011824420002)

The Northwest Quarter of the Southeast Quarter of Section 20, Township 118 North, Range 24 West of the Fifth Principal Meridian except the following two parcels described as follows: (1) Commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24; thence North 33 feet along the West line of said Quarter; thence Southeast to a point on the South line of said Northwest Quarter of the Southeast Quarter 16 1/2 feet East of the Southwest corner thereof; thence West along said line 16 1/2 feet to the point of beginning and (2) That part of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, described as follows: Commencing at the Southeast corner of said Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24, and proceeding North along said Quarter Quarter section line a distance of 550 feet; thence West parallel with the South line of said Quarter Quarter section a distance of 825 feet; thence South parallel with the East line of said Quarter Quarter section a distance of 550 feet to the South line of said Quarter Quarter section; thence East along the South line of said Quarter Quarter section a distance of 825 feet to the point of beginning, Hennepin County, Minnesota.

Boundary Description (per Doc. No. 11242928) ("Parcel 2") (PID No. 2011824420001)

That part of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, described as follows: Commencing at the Southeast corner of said Northwest Quarter of the Southeast quarter of said Section 20, Township 118, Range 24, and proceeding North along said Quarter Quarter section line a distance of 550 feet; thence West parallel with the South line of said Quarter Quarter section a distance of 825 feet; thence South parallel with the East line of said Quarter Quarter section a distance of 550 feet to the South line of said Quarter Quarter section; thence East along the South line of said Quarter Quarter section a distance of 825 feet to the point of beginning, subject, however, to an easement for road purposes running in favor of the balance of the Northwest Quarter of the Southeast Quarter of Section 20 and the West Half of the Northeast Quarter of Section 20, Township 118, Range 24, except that part described as follows: Commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20, Township 118, Range 24; thence North 33 feet along the West line of said Quarter; thence Southeast to a point on the South line of said Northwest Quarter of the Southeast Quarter 16 1/2 feet East of the Southwest corner thereof; thence West along said line 16 1/2 feet to the point of beginning, Hennepin County, Minnesota.

Proposed Description for Tract A

The North 871.29 feet of the South 931.29 feet of the East 500.00 feet of the Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highested Drive.

Proposed Description for Tract B

The Northwest Quarter of the Southeast Quarter of Section 20, Township 118, Range 24, Hennepin County, Minnesota.

EXCEPT that part lying southwesterly of the line described as follows:

Beginning at a point on the west line of said Northwest Quarter of the Southeast Quarter distant 33 feet north of the southwest corner thereof; thence southeasterly to a point on the south line of said Northwest Quarter of the Southeast Quarter distant 16.5 feet east of the southwest corner thereof and said line there terminating.

ALSO EXCEPT the North 871.29 feet of the South 931.29 feet of the East 500.00 feet of said Northwest Quarter of the Southeast Quarter.

Subject to and together with a perpetual easement over and across the East 100 feet of the South 100 feet of said Northwest Quarter of the Southeast Quarter; together with a prescriptive interest in the roadway over and across the South Half of the Southeast Quarter of Section 20, Township 118, Range 24, known and referred to as Highested Drive.

Bearings based on Hennepin County Coordinate System.

SCHOBORG
LAND SERVICES
INC.

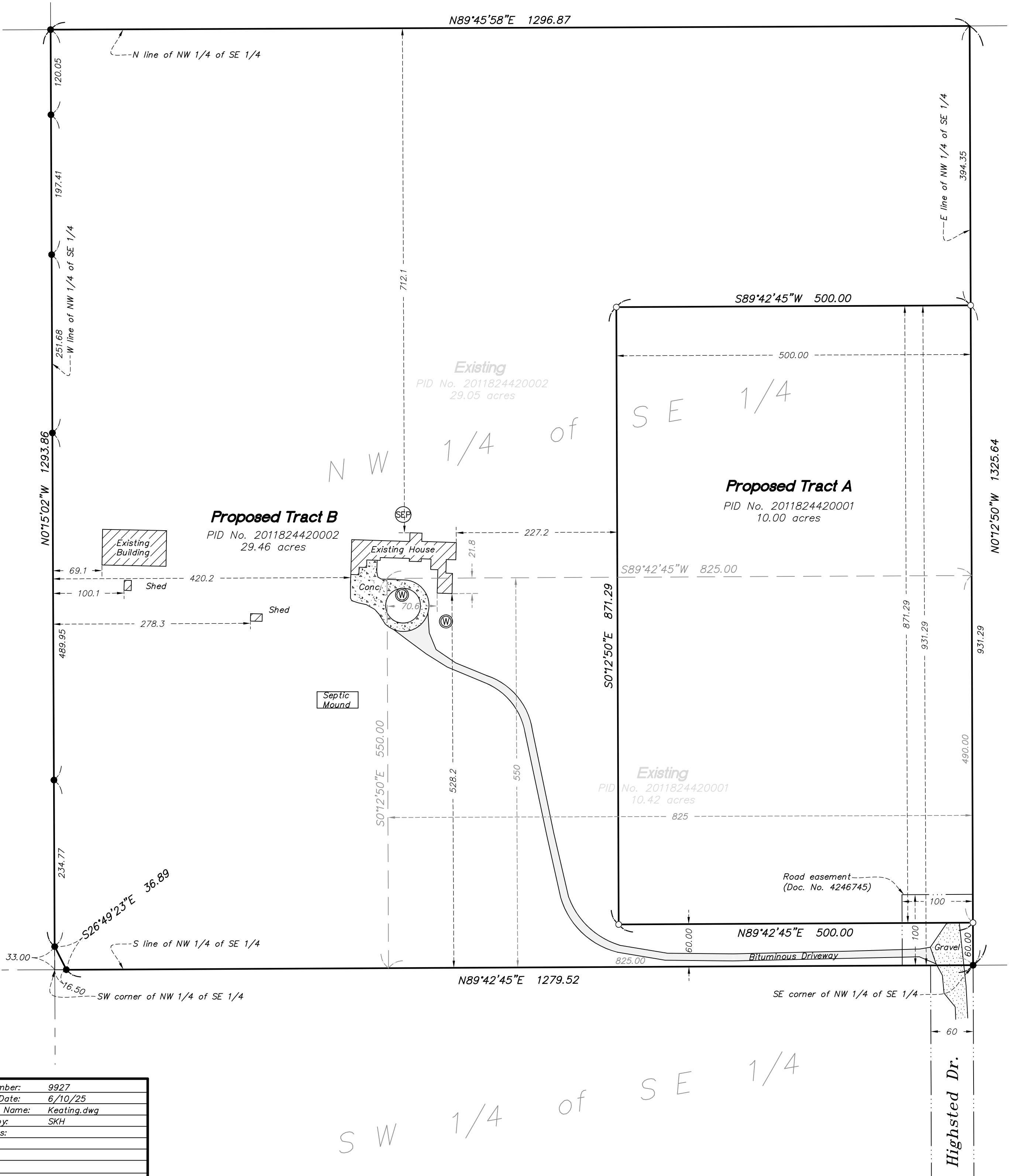
763-972-3221 8997 Co. Rd. 13 SE
www.SchoborgLand.com Delano, MN 55328

I hereby certify that this certificate of survey was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Kelly L. Brouwer
Kelly L. Brouwer

Date: June 23, 2025 Registration No. 48328

Job Number:	9927
Survey Date:	6/10/25
Drawing Name:	Keating.dwg
Drawn by:	SKH
Revisions:	



City of Independence

Minor Subdivision to Permit a Rural View Lot for the Property Generally Located Just West of 6551 County Road 6 (PID No. 34-118-24-12-0001)

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 15, 2025
<i>Applicant:</i>	Scott Kirchner
<i>Owner:</i>	Scott Kirchner
<i>Location:</i>	Unassigned Address - County Road 6 (PID No. 34-118-24-12-0001):

Request:

Scott Kirchner (Applicant) and Leroy Kowalke Et Al (Owner) requests that the City consider the following action for the Property located adjacent to 6551 County Road 6, Independence, MN (PID No. 34-118-24-12-0001):

- a) A minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south side of County Road 6 along the east property line.

Property/Site Information:

The property is located on the north and south sides of County Road 6 just west of the intersection of County Road 6 and County Road 90. The property is currently vacant with no existing structures. The property is comprised of wetlands, wooded areas and upland pasture areas throughout. The property has the following characteristics:

Property Information: Unassigned Address – PID No. 34-118-24-12-0001

Zoning: Agriculture

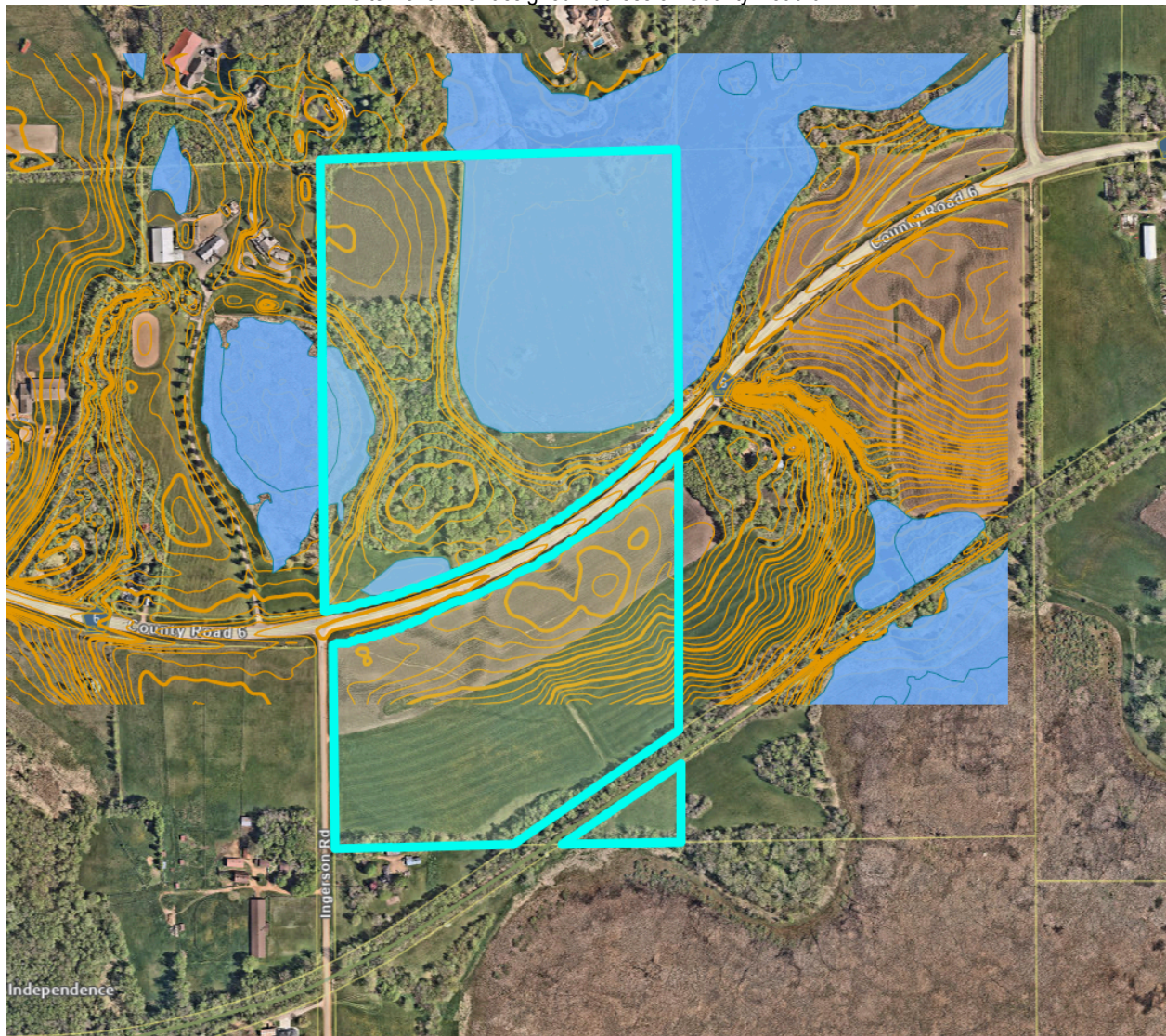
Comprehensive Plan: Agriculture

Acreage (BEFORE): 71.18 acres

Acreage (AFTER): Remainder Parcel – 42.23 acres

Proposed 10 Acre Parcel – 10.00 acres

Site Aerial – Unassigned Address on County Road 6



Discussion:

The applicant approached the City several months ago about the possibility of purchasing the property and creating a rural view lot in accordance with applicable standards. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City's Zoning Ordinance. The subject property has a total acreage of 71.18 acres. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize one (1) rural view lot for a total of two (2) lots on this property.

Rural view lots must have the following characteristics:

Lot size required:	between 2.5 and 10 acres
Lot size proposed:	Proposed 10-acre Parcel – 10 acres
Minimum lot frontage required:	300 LF (for property between 5-10 acres)
Minimum lot frontage proposed:	839 LF
Ratio of lot frontage to lot depth required	- no more than 1:4
Ratio of lot frontage to lot depth proposed	- ~1:1.5 (839:1019)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 10 acres of useable upland and 839 LF of frontage on County Road 6.

The proposed subdivision would produce a 10-acre rural view lot. The applicant worked with the City to configure the rural view lot in a manner that maintained conformability and worked with the existing conditions of the property (drainage swale, contours and access to Luce Line trail). The proposed angled lot line configuration provided appears to align well with the existing property conditions.

The remainder of the property (Remainder Parcel) would comprise 61.18 acres and have one principal building entitlement. The Remainder Parcel would easily accommodate a new building pad on either the north or south side of County Road 6 given its overall size, topography and proposed dimensions. Any development on the property would need to meet all applicable setbacks including those from wetlands. The city has not yet received an on-site septic report verifying that both the remainder and proposed 10-acre parcels can accommodate a primary and secondary on-site septic system. The applicant has included a portion of the requisite drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2) for just the proposed 10-acre parcel. The remaining property (including both sides of the County Road 6) will have **no** rural view lot subdivision eligibilities following this subdivision.

The newly created 10-acre parcel will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$7,250.00. This fee will need to be paid prior to recording the subdivision.

Park dedication fee of \$3,500 per lot up to 4.99 acres,

plus \$750 per acre for each acre over 5 acres

The city should note the following:

- The applicant will be required to obtain access permits for the 10-acre parcel from Hennepin County. The applicant has reached out to Hennepin County to initiate the process.
- The applicant will be required to provide the full perimeter drainage and utility easements for both the proposed 10-acre Parcel and Remainder Parcel.
- The applicant will be required to submit verification of a primary and secondary on-site septic location for both lots prior to City Council consideration of the requested minor subdivision.
- The proposed rural view lot subdivision will leave approximately 17 acres on the south side of County Road 6. The city should note that this property will be separated from the property on the north side of CSAH 6.
- The city will address the property once approved.

The proposed rural view lot subdivision appears to meet all applicable standards of the city. The proposed subdivision is in keeping with the character of the surrounding area and maintains a larger agricultural property that can accommodate a future residential structure.

Neighbor Comments:

The City had not received any written or verbal comments prior to this report being prepared.

Recommendation:

Staff is seeking a recommendation from the Planning Commission regarding the request for a rural view lot subdivision. Should the Planning Commission make a positive recommendation to the City Council, the following findings and conditions:

1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$7,250.00, for the newly created 10-acre Parcel, prior to the applicant receiving final approval to record the subdivision by the City.

- b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
- c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
- d) The Applicant shall execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
- e) The Remainder Parcel will have no remaining rural view lot eligibilities.

Attachments:

- 1. Application
- 2. Proposed Subdivision Exhibit (Before and After)



**CITY OF
INDEPENDENCE
MINNESOTA**

Date Submitted: 06-05-2025

Applicant Information

Name: Scott Kirchner
Address: XXXX County Road 6
Independence ,
Minnesota 55359
Primary Phone: 952-237-4965
Email: kirchner.scott@gmail.com

Owner Information

Name: Scott Kirchner
Address: XXX
Independence ,
Minnesota 55359
Primary Phone: 952-237-4965
Email: kirchner.scott@gmail.com

Property Address:

PID:

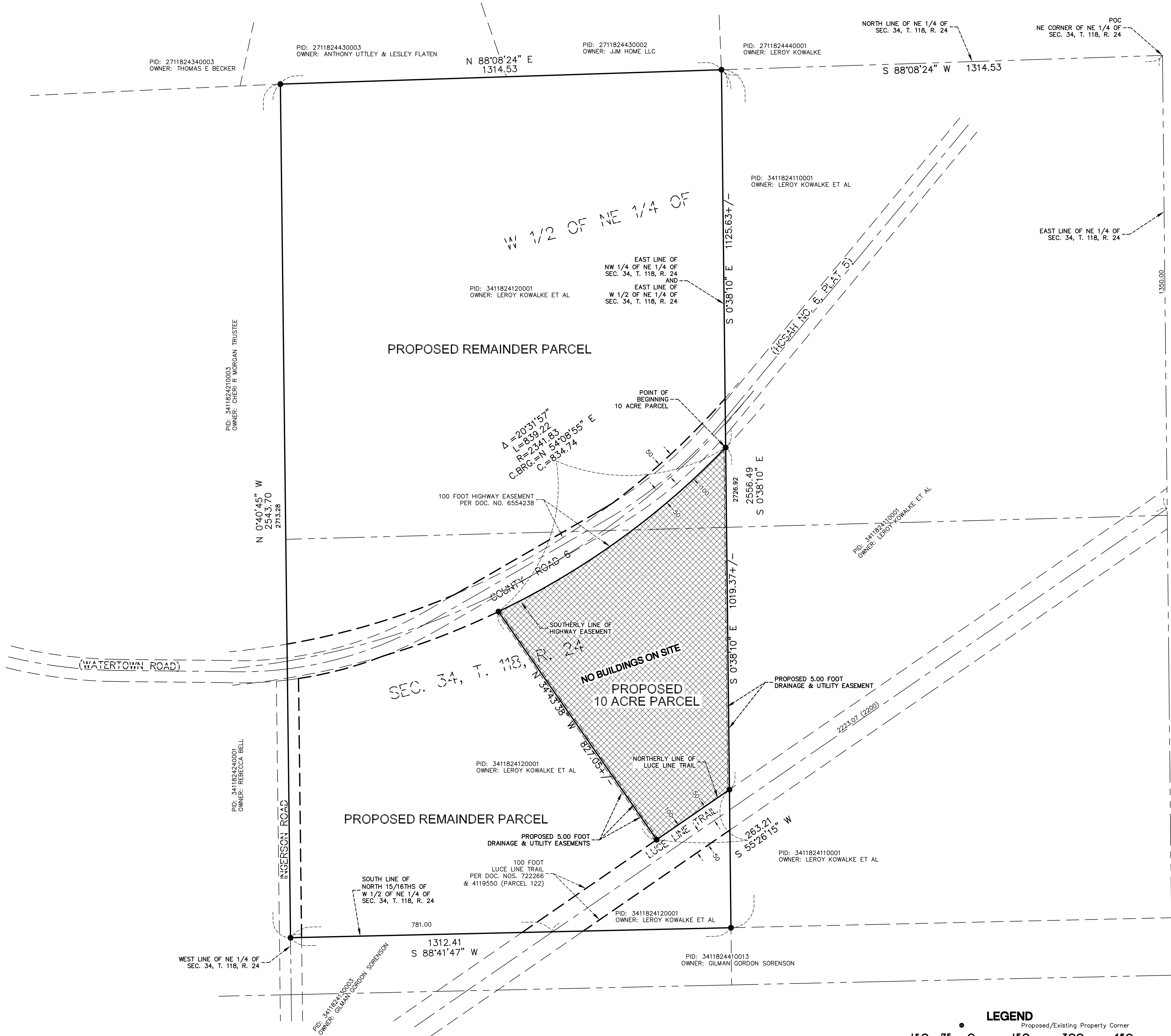
Planning Application Type: Subdivision

Subdivision Type: Rural View Lot

Description:

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

Signature:



EXISTING PROPERTY DESCRIPTION:

The West Half of the North 15/16ths of the Northeast Quarter of Section Thirty-four (34), Township One Hundred Eighteen (118), Range Twenty-four (24), Hennepin County, Minnesota.

Except the right of way of the Minnesota Western Railway Company, formerly known as the Electric Shortline Railway Company, now known as Luce Line Trail, according to the Government Survey thereof as shown in Deed filed as Document No. 722266.

Hennepin County, Minnesota

AREA: 3,284,959 square feet = 75.412 acres.

PROPOSED 10 ACRE PARCEL DESCRIPTION:

That part of the West Half of the North 15/16ths of the Northeast Quarter of Section 34, Township 118, Range 24, Hennepin County, Minnesota. Except the right of way of the Minnesota Western Railway Company, formerly known as the Electric Shortline Railway Company, now known as Luce Line Trail, according to the Government Survey thereof as shown in Deed filed as Document No. 722266.

Being described as follows:

Commencing at the northeast corner Northeast Quarter of Section 34, Township 118, Range 24; thence South 88 degrees 08 minutes 24 seconds West an assumed bearing along the north line of said Northeast Quarter a distance of 1314.53 feet to the northeast corner of the West Half of the North 15/16ths of said Northeast Quarter; thence South 0 degrees 38 minutes 10 seconds East along the east line of said West Half of the North 15/16ths a distance of 1125.63, more or less, to the southerly line of the Highway Easement described in Document No. 6554238 and the point of beginning of the property to be described; thence continuing South 0 degrees 38 minutes 10 seconds East a distance of 1019.37 feet, more or less, to the north line of Luce Line Trail; thence South 55 degrees 26 minutes 15 seconds West along said north line a distance of 263.21 feet; thence North 34 degrees 43 minutes 38 seconds West 827.05 feet, more or less, to the southerly line of said Highway Easement; thence northeasterly along said southerly line a distance of 839.22 feet, also being a non tangential curve concave to the north having a radius of 2341.83 feet, a central angle of 20 degrees 31 minutes 57 seconds and the chord of said curve bears North 54 degrees 08 minutes 55 seconds East to the point of beginning.

AREA: 435,538 square feet = 9.999 acres.

PROPOSED REMAINDER PARCEL DESCRIPTION:

The West Half of the North 15/16ths of the Northeast Quarter of Section Thirty-four (34), Township One Hundred Eighteen (118), Range Twenty-four (24), Hennepin County, Minnesota.

EXCEPT

The right of way of the Minnesota Western Railway Company, formerly known as the Electric Shortline Railway Company, now known as Luce Line Trail, according to the Government Survey thereof as shown in Deed filed as Document No. 722266.

ALSO EXCEPT

That part of the West Half of the North 15/16ths of the Northeast Quarter of Section 34, Township 118, Range 24, Hennepin County, Minnesota described as follows:

Commencing at the northeast corner Northeast Quarter of Section 34, Township 118, Range 24; thence South 88 degrees 08 minutes 24 seconds West an assumed bearing along the north line of said Northeast Quarter a distance of 1314.53 feet to the northeast corner of the West Half of the North 15/16ths of said Northeast Quarter; thence South 0 degrees 38 minutes 10 seconds East along the east line of said West Half of the North 15/16ths a distance of 1125.63, more or less, to the southerly line of the Highway Easement described in Document No. 6554238 and the point of beginning of the property to be described; thence continuing South 0 degrees 38 minutes 10 seconds East a distance of 1019.37 feet, more or less, to the north line of Luce Line Trail; thence South 55 degrees 26 minutes 15 seconds West along said north line a distance of 263.21 feet; thence North 34 degrees 43 minutes 38 seconds West 827.05 feet, more or less, to the southerly line of said Highway Easement; thence northeasterly along said southerly line a distance of 839.22 feet, also being a non tangential curve concave to the north having a radius of 2341.83 feet, a central angle of 20 degrees 31 minutes 57 seconds and the chord of said curve bears North 54 degrees 08 minutes 55 seconds East to the point of beginning.

AREA: 2,849,420 square feet = 65.413 acres.

SUBDIVISION SUMMARY:

The total number of Parcels is equal to 2.
The total area is 3,284,959 square feet.

PROPOSED AREAS:

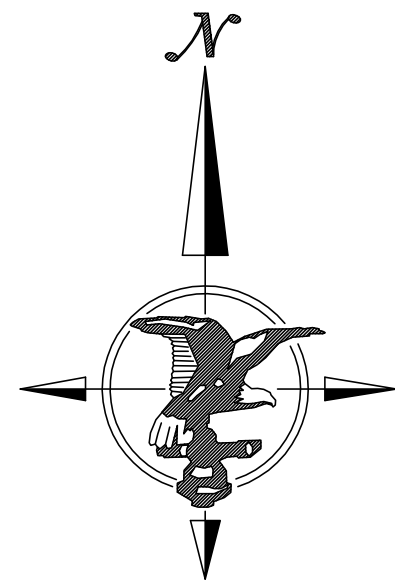
Site Area Existing Property equals 3,284,959 square feet = 75.412 acres.

Site Area 10 Acre Parcel equals 435,538 square feet = 9.999 acres.

Site Area Remainder Parcel equals 2,849,420 square feet = 65.413 acres.

GENERAL NOTES:

- The bearing system used is based on Hennepin County Coordinate System.
- The location of the underground utilities shown hereon, if any, are approximate only. PURSUANT TO MSA 216D CONTACT GOPHER STATE ONE CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
- Subject property is identified as being in "Zone X, Other Areas" on Flood Insurance Rate Map No. 27053C0280F, effective date November 4, 2016.
- Site Area = 3,348,999 square feet = 76.882 acres. (including right of ways).
Site Area = 3,284,959 square feet = 75.412 acres. (per deed).
Site Area = 3,100,685 square feet = 71.181 acres. (excluding right of ways).
- This survey was made on the ground.
- In preparing this survey I have relied upon the supporting documents and the Commitment for Title Insurance issued by Burnet Title and Old Republic National Title Insurance Company, having an effective date of March 23, 2025 and bearing file number 2130925-02341.



SCALE: 1 INCH = 150 FEET

REVISIONS

Date:	

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

Thomas E. Hodorff, L.S.
Minnesota Reg. No. 23677

Date: June 27, 2025

PROPOSED PROPERTY SUBDIVISION

For:

INVEST WISE CAPITAL

SITE:

UNASSIGNED ADDRESS

PID: 3411824120001

INDEPENDENCE, MINNESOTA

HENNEPIN COUNTY

HARRY S. JOHNSON CO., INC.
LAND SURVEYORS

9063 Lyndale Avenue South
Bloomington, MN. 55437
Tele. 952-884-5341 Fax 952-884-5344

www.hsjsurveyors.com

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