

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
MONDAY, DECEMBER 8, 2008 – 7:30 P.M.

1. CALL TO ORDER.

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

2. ROLL CALL.

PRESENT: Chair Spencer, Commissioners Crespo, Gardella, Gardner and Phillips.

STAFF: Planner Goodrum, Administrative Assistant Scipioni, Comprehensive Plan Consultants Hagen and Loucks.

VISITORS: Jan Gardner, John Zeglin, LuAnn Brenno, Mark Kaltsas, Bob Lachermeier, Lance Gyllenblad.

3. APPROVAL OF NOVEMBER 10, 2008 MEETING MINUTES.

Motion by Gardner, second by Phillips, to approve the minutes as written, with one correction. Ayes: Spencer, Crespo, Gardner, Phillips. Abstention: Gardella. MOTION DECLARED CARRIED.

4. PUBLIC HEARING. ROBERT LACHERMEIER, 5680 PAGENKOPF ROAD (PID NO. 23-118-24-11-0005), REQUEST FOR A SIMPLE SUBDIVISION RESULTING IN NO NEW LOTS.

Spencer explained that a small portion of the applicant's property was location south of Pagenkopf Road, while the majority of the property, including the house, was located north of Pagenkopf Road. He explained that the applicant owns a lot to the south of 5680 Pagenkopf Road that is in Maple Plain. Spencer added that the applicant is requesting that the portion of his 5680 Pagenkopf Road that is south of Pagenkopf Road be attached to the property in Maple Plain. He stated that the City of Maple Plain would also need to approve the request.

Lachermeier stated his application had not yet been before the Maple Plain Planning Commission and City Council.

Public Hearing

No comments

Spencer closed the public hearing

Gardner asked what would happen if Maple Plain did not approve the request.

Lachermeier responded that the lots would then stay the same. He explained that he wants to sell 5680 Pagenkopf Road, but needs to retain the southern portion in order to have access onto his Maple Plain property.

Motion by Gardella, second by Crespo, to recommend approval of the Simple Subdivision resulting in no new lots, subject to the following conditions:

- **The applicant shall provide to the City 66 feet of right-of-way for Pagenkopf Road.**
- **The applicant shall provide to the City of Independence the signed resolution of approval for the Maple Plain lot combination.**
- **The applicant shall pay for all the expenses related to the review of the application.**

All present voted aye. MOTION DECLARED CARRIED.

5. PUBLIC HEARING. REVIEW THE PROPOSED CITY OF INDEPENDENCE COMPREHENSIVE PLAN FOR 2030.

Spencer noted that most of the changes requested by the Planning Commission had been incorporated into the new draft of the Comp Plan.

Public Hearing

LuAnn Brenno, resident, stated the second sentence in the last paragraph on page 20 was missing the word “by.” She added that on page 37, the second paragraph under “Expanded Commercial” should name County Line Road instead of Town Line Road.

Brenno stated in the general land use section on page 42 the goals and policies don’t include all of the City’s land use categories.

Spencer stated the Commission would need to have a discussion on chapters five and six. He stated that the goals and policies chapter should be written so they are broader.

Brenno asked for clarification of what “transitional land use alternatives” meant on page 43.

Gardella explained that “transitional land use alternatives” meant some type of geographical buffer between to land uses that are not compatible.

Brenno stated the third natural environment goal on page 43 made it sound like the City does not currently have an ordinance to protect shoreland.

Spencer responded that the City does not currently have a Shoreland Ordinance that meets Minnesota Department of Natural Resources standards. He stated that the sentence should be changed to read: “To preserve water resources in the city by adopting a DNR-compliant ordinance regulating development of shoreland in the City.”

Brenno asked if the Rural Reserve zoning was a new name for Agricultural zoning.

Spencer responded that Rural Reserve was the new name for Agricultural zoning.

Brenno stated item three in the Policies section of page 45 was convoluted.

Hagen responded that the paragraph is to state the City’s intention of reguiding and rezoning properties in the eastern third that are currently in Ag Preserve if those properties come out of the program.

Spencer explained that the City wanted to make the process of reguiding and zoning those properties easier.

Hagen stated that he would change the wording in that paragraph to make the City's intentions more clear.

Brenno noted that an Urban Residential section was missing from chapter five. She stated that item one under Development Standards on page 46 didn't seem to match the current zoning.

Spencer agreed. He added the statement seemed to mean that five-acre lots were required, not five-acre densities. He suggested changing the sentence to read "Development within the rural residential district shall be permitted only on five acres total density with 2.5 acres of buildable land that can successfully accommodate a building site and two septic systems."

Brenno stated that on page 50, there's still a mention of the Agricultural District. She then asked about the table on page 56.

Hagen explained the categories and acreages on the table would be changing.

Brenno stated the last paragraph on page 59 should list the density as 3-8 units per acre.

Hagen confirmed that the density on page 59 should be changed to 3-8 and that the acreage should be changed to 60.

Brenno stated that she thought the Urban Commercial district was 60 acres, but page 60 stated that it's 70 acres.

Hagen responded that it is 60 acres without including the wetland areas.

Brenno stated that there seemed to be an inconsistency in the requirements for urban commercial. She added that on page 61, "housing" didn't seem to fit as a land use category.

Spencer agreed and asked if the "housing" section could be removed.

Loucks stated the "housing" section does need to be included in the Comp Plan.

Spencer suggested including it in the section of chapter five that discusses multi-family housing.

Brenno raised a concern about the amount of detail in the water management plan, which starts on page 80. She did not believe that detailed information needed to be in the Comp Plan, as it was included in the City Code and other City documents.

John Zeglin, resident, stated he had been to a public hearing in Delano regarding the proposed Ryan Companies utility sharing agreement.

Spencer stated the Commission would not be discussing the Ryan Companies requested comp plan amendment or the possible Target store at this public hearing. He added that the only thing the Commission would discuss tonight regarding the proposed Urban Commercial zone on the western border of the city was the policies and land use plans as contained in the draft 2030 Comprehensive Plan.

Zeglin stated his concern was about the lack of development of sewer in the western part of the City.

Spencer responded that the Met Council's long-range plans did not include an expansion of sewer service for the western two-thirds of the City.

Loucks added that sewer expansion would only take place in the eastern third of the City.

Spencer closed the public hearing.

Spencer stated on page 65, only County Road 90 south of T.H. 12 was listed as a collector street, but the map on Figure 8 shows Nelson Road as a collector street as well.

Loucks responded that Nelson Road should not be shown as a collector street. He added that the map would be corrected.

Spencer stated on pages 84, 85 and 88, Hennepin Parks should be changed to Three Rivers Park District.

Phillips stated the new Robina Wildlife Management Area should be added to page 84.

Spencer noted the Planning Commissioners had received a letter from John and Cathy Zeglin stating that the draft Comp Plan put some of their property in Urban Commercial zoning and left some in Agricultural zoning.

Loucks and the Commissioners agreed to take the Zeglin property out of the Urban Commercial district entirely. Spencer reminded staff to update the acreage in the Urban Commercial district to reflect the change.

Spencer expressed a concern that chapters five and six were very similar. He stated that it was hard to tell which chapter should be followed when making decisions.

Brenno suggested changing the section titles in chapter five so that they are broader.

The Commissioners agreed with Brenno. They directed staff to change the section titles in chapter five to something other than the land use designations that are used in chapter six.

Phillips asked if the section title "Environmental Protection Residential" on page 47 could be changed.

Spencer suggested changing it to "Environmentally Sensitive Areas."

Crespo asked if subdivisions in the Urban Commercial district were subject to park dedication fees.

Loucks responded that Urban Commercial properties would be subject to park dedication fees. He added that park dedication fee requirements would be included in the City Code.

Hagen stated there was a mistake on page five: The number of households in 2030 should be 2,075.

Loucks stated the present plan has an overall density of 1 unit per 12.71 acres, which is within the Met Council's requirements. He added that if every Rural Reserve property subdivided off a Rural View Lot, the City's overall density would still be 1 unit per 10.42 acres.

Motion by Spencer, second by Gardner, to recommend approval of the 2030 Comp Plan, subject to the changes discussed as at the meeting as follows:

Chap 3.0 Environment/Water Resources (pg 20) 2nd sentence amend to read ...accomplished *by* implementation...

Chap 4.3 Community Issues, subd. Expanded Commercial (pg 37) paragraph 2, 5th sentence change Townline Rd to *County Line Rd*.

Chap. 5.3 Goals and Policies,

- Sec B Natural Environment, subs. Goals, item 3 – amend to read ...adopting *a DNR-compliant* ordinance...
- Sec C Rural Reserve, subs Policies, item 3 (pg 45). Recommend staff attempt to rewrite this item in its entirety such that it will better express its intentions.
- Sec D Rural Residential, subs. Development Standards item 1. reword to clarify ...shall be permitted only on *1 unit in 5 acre average density* with 2 ½ acres buildable...
- Sec I Community Facilities, subs. Public Works Policies (pg 50), item 3 change “Agricultural District” to *Rural Reserve*.
- Change Goals and Policies Section (Chap. 5.3) titles such that they will not be confused with more specific Chap. 6 land use categories. Suggested changes will be similar to; C Rural Reserve could become *Agricultural*, D Rural Residential could become *Residential*, F Environmental Protection Residential could be renamed *Environmentally Sensitive*, etc.

Chap. 6.2 General Land Use,

- Subs. Urban Residential District, paragraph 2 change the third sentence to read: “This *60*-acre area is designated for density ranging from *3 to 8* dwelling units per acre...”
- Subs. Urban Commercial, reduce size from 70 acres to *60 acres* and redraw to match current property boundaries in the designated area south of Highway 12.
- Subs. Urban Commercial, add specific language in reference to requirements for master planning of area and availability of utility services (storm sewer, urban sewer, and water) from Chap 5.3 subs G. Commercial / Light Industrial, Policies, items 3 and 4.
- Subs. Housing, move in entirety to Chap 5.3 Goals and Policies

Chap 7.1 Transportation, Figure 8 (pg 67) Nelson Rd incorrectly shown as a “Collector Street”. Map should be corrected.

Chap. 7.8 Parks Trails and Open Space, Subs. Regional Parks (pg 84). References to Hennepin County Park Reserve District in paragraphs 1 and 4 and in Subs. Trails (pg 86) should be amended to reflect name change to *Three Rivers Park District*. Additionally, map reference and descriptive paragraph regarding the newly created Robina Wildlife Management Area should be added to this chapter.

All present voted aye. MOTION DECLARED CARRIED.

7. OPEN/MISC.

New City Planner

Spencer introduced the new City Planner Mark Kaltsas, who will be starting his work on January 1, 2009. Spencer also thanked Goodrum and MFRA for their years of service and Loucks Associates for their hard work on the Comp Plan.

8. ADJOURN.

Motion by Gardella, second by Crespo, to adjourn the Planning Commission meeting at 8:20 p.m. All present voted aye. MOTION DECLARED CARRIED.

Respectfully submitted by Christina Scipioni, Recording Secretary

DRAFT