

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
MONDAY, OCTOBER 8, 2012 – 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 Phillips at 7:30 p.m.

2. ROLL CALL

PRESENT: Chair Phillips and Commissioners Gardner, Palmquist, Olson, and Thompson
STAFF: City Planner Kaltsas, Administrative Asst. Nelson, Councilor Spencer
ABSENT: None
VISITORS: LuAnn Brenno, Dan Heitke, Pat Schumachor, Jeff Arendt, Jim Kiad, Dale Denn, Robert Lamp, Pat Meyer, Dick Meyer, and Marcia Kreklow

3. APPROVAL OF PLANNING COMMISSION MEETING MINUTES OF SEPTEMBER 10, 2012

Motion by Gardner, seconded by Palmquist, to approve the September 10, 2012 Planning Commission minutes as amended. Ayes: Phillips, Gardner, Palmquist, Olson, Thompson. Nays: None. Absent: None. MOTION DECLARED CARRIED.

4. PUBLIC HEARING. Windsong Farm Golf Club, 18 Golf Walk (PID#'s 32-118-24-13-0001, 32-118-24-24-0001, 32-118-24-31-0001, 32-118-24-31-0002, and 32-118-24-42-0001) request the City to consider the following actions for the above address:

- a) An amendment to the Conditional Use Permit (CUP) to allow the construction of a guesthouse to facilitate members of the existing golf course.
- b) Site plan approval of the proposed guesthouse.

The property is located on the south side of County Road 6, just west of County Road 92. The property is comprised of rolling topography, ponds, wetlands and significant tree coverage.

Kaltsas stated the property is currently zoned agricultural and guided in the City's Comprehensive plan as Public/Semi-Public. He noted the City does not have a zoning ordinance category for Public/Semi-Public properties, but it was a placeholder the City utilized for open spaces such as this. He said the total acreage of golf course as it sits now is approximately 200 acres.

Kaltsas stated the applicant is seeking an amendment to the existing Conditional Use Permit to allow the construction of a guest house on the existing golf course grounds. The guesthouse would be approximately 5,500 square feet of space on (2) two floors that would contain (6) six sleeping rooms. He explained he would equate the sleeping rooms as hotel rooms. Each containing a bed, a private bathroom, small refrigerator, and coffee maker. He said the purpose of the guesthouse is to provide a place for members to have a short-term stay while golfing. The golf course stated there is a need to serve their members allowing them to play multiple rounds of golf without leaving to find lodging at another location. He stated the golf course also believes it would help support their other services, such as dining.

Kaltsas stated the golf course was issued a Conditional Use Permit to build the golf course and the clubhouse in 2001. He stated the City had a provision that approved the golf course and its associated 29,000 SF club house/pro

shop. The City calls that use "commercial golf course" which is a conditionally permitted use defined by the conditions of the CUP.

Kaltsas stated the proposed guesthouse would have six sleeping rooms, a gathering space on each floor (conference area) and designated wet bar, not a full kitchen, and each sleeping room would have a private bath.

Kaltsas stated the idea is modeled after several other golf courses in the Midwest that have similar type of facilities for their memberships. The golf course believes the guesthouse would be a supplemental service that would be part of the golf course membership. The guesthouse would be accessory to the existing use of the golf course, pro shop, and dining facility. The golf course also noted there are limited sleeping accommodations for its current membership in the surrounding area.

Kaltsas stated the use of the guesthouse is proposed to be limited to a maximum stay of three (3) consecutive nights. The proposed guesthouse would be limited to the club members and their guests. He further explained all costs associated with the use of the sleeping rooms would be billed directly to the members similar to the other services (food, pro shop, golf) offered at the club. He stated the sleeping rooms would not be available to anyone outside of the membership and the guesthouse would not have a full kitchen.

Kaltsas stated the proposed guesthouse would be located in the geographic center of the golf course property. The location of the proposed the guesthouse would be placed is approximately 5-7 acres in size and has views onto several holes on the course. He explained the location would be visible from the golf course, but not from County Road 6 or the surrounding properties due to the topography. The only place it could possibly be seen is from the Luce Line Trail; which runs on the southside of the property.

Kaltsas stated access to the guesthouse would only be accessible by golf cart. He explained a path constructed of pavers and gravel leads to the guesthouse allowing emergency vehicle to access it and allowing a proper turning radius. He stated that Maple Plain's fire chief has looked at the plans and found that it would be satisfactory. He stated the guesthouse would be constructed of materials and in an architectural fashion similar to the existing clubhouse and pro shop.

Kaltsas explained any amendment to an existing CUP must meet the same requirements established for granting a new CUP. 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, watercourses, 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.

Kaltsas stated due to the proposed guesthouse location, the most impact would be to the golf course itself not the surrounding properties.

Kaltsas stated that golf courses are permitted as a conditional use in the Agricultural zoning district. The property is guided in the Comprehensive Plan as Public/Semi-Public. With an addition of a guesthouse, it would need to be determined if this changes how it's guided. The City will need to determine if a guesthouse is consistent with the use of the property as a golf course. In addition, the City will need to determine if the proposed amendment to the CUP meets the requirements for granting a conditional use permit.

Kaltsas explained as it relates to the CUP amendment criteria, the City identified some of the issues that were noted including the fire department, Sanitary Sewer, Planning/Engineering, and watershed.

- Kaltsas stated the City and Fire Department have worked with the applicant to provide an acceptable access road to the proposed guesthouse. The applicant is proposing to make several site changes to the existing parking lot and drive aisles to accommodate an acceptable fire access route to both the existing and proposed buildings; allowing a fire truck to maneuver with proper turning radiuses within the parking lot. A modification to the path for the guesthouse is needed as well. The Fire Department has worked with the applicant to provide adequate access to that site.
- Kaltsas stated the existing golf course currently is serviced by an on-site septic system. The applicant has provided the City with a detailed calculation indicating that the proposed guesthouse can be serviced by the existing on-site system. The City's Building Official is working with the applicant and their consultants to confirm the calculations. As of this week, the applicant is looking to possibly build a new septic system rather than tie into the current septic system. The secondary site for the existing septic is located where the proposed guesthouse would be built. The golf course has identified a few locations for the existing septic's secondary site as well as a location for a new septic site. A full design and site plans would be needed to be reviewed as part of this process.
- Kaltsas stated the club has an existing parking lot that is adequate to accommodate the existing golf course and dining facility and it would ultimate service the proposed guesthouse. The proposed guesthouse is not intended to increase the membership necessarily or increase the traffic relating to the golf course. It is anticipated that the golfers already on the course would be the ones staying in the proposed guesthouse. It is not anticipated there would be an issue with the existing parking lot, especially since it is a private club with only so many members.
- Kaltsas stated the applicant is proposing to provide new landscaping around the proposed guesthouse. Landscaping includes trees, ornamental building planting, retaining walls, rain gardens, native plantings and slope restoration. The new plantings will help to mitigate any impacts resulting from the construction of the proposed guesthouse.
- Kaltsas stated the proposed site improvements will increase the amount of impervious coverage on the property. As a result of the increased impervious surface and the discharge into an existing infiltration basin on-site, the applicant will be required to provide storm water rate and quality control for this project. The applicant is proposing to address the storm water management requirements using rain gardens. The City will require the applicant to enter into a storm water maintenance agreement for the rain gardens to ensure that they are properly maintained by the applicant, not by the City.
- Kaltsas stated the applicant will be required to work with the Pioneer Sarah Creek Watershed District. This review or process will not begin until the City's project recommendations are completed. The applicant had initially identified several additional building sites for future guesthouses. Kaltsas stated the applicant has decided to build just the one (1) guesthouse with six (6) sleeping rooms. The City has indicated that any future guesthouses or expansion the proposed or existing buildings or uses will require an amendment to the conditional use permit amendment process again.

Kaltsas stated it is recommended that the use of the proposed guesthouse be limited in order to ensure compatibility with the golf course and surrounding areas and protect surrounding areas. Limitations:

- a. Use of the guesthouse shall be limited to members and their non-paying guests.
- b. The maximum length of stay for any individual shall be limited to three (3) consecutive nights.
- c. Access to the guesthouses will be by golf cart only.
- d. Fire and emergency vehicle access to the guesthouse shall be maintained at all times.
- e. The guesthouse shall not be equipped with a full kitchen.
- f. No meals will be prepared in the guesthouse.

Kaltsas stated the proposed amendment to the conditional use permit to allow the construction of a guesthouse could be considered consistent with the existing use of the property as a commercial golf course. In the existing zoning district, a commercial golf course is permitted as a conditional use. The guesthouse is proposed to be located to the interior of the site such that any impacts to the surrounding properties should be somewhat mitigated or completely mitigated given the location. Windsong believes that the relative size of the membership will remain consistent after the construction of the proposed guesthouse. Resulting traffic, noise, and other measureable impacts should not be incrementally amplified as a result of the proposed guest house due to the limited membership of the private club.

Kaltsas stated the City has not received any written comments or verbal comments prior to the meeting as the City sent out public notice.

Kaltsas stated the staff is seeking a recommendation from the Planning Commission for both the request for an amendment to the Conditional Use Permit and Site Plan approval. Should the Planning Commission make a recommendation to approve the requested action, the following findings and conditions should be considered:

1. The proposed Conditional Use Permit amendment request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. This amendment approves the construction of one (1) guesthouse with six (6) sleeping rooms, constructed in accordance with the plans approved by the City and dated September 20, 2012. The construction will consist of a 5,350 square foot guesthouse and associated site improvements. Any further expansion of the existing or proposed buildings will require an amendment to the conditional use permit and site plan approval.
4. Prior to the City granting a building permit for the proposed guest house, the applicant shall complete the following items:
 - a. All comments made by Hakanson Anderson in the letter dated, September 26, 2012.
 - b. Verification of approval from the Pioneer Sarah Creek Watershed District.
 - c. Verification that the existing on-site septic system is sufficient to accommodate the proposed guesthouse.
5. The following condition shall be added to the conditional use permit:
 - a. In addition to the 18-hole golf course and 29,000 square foot clubhouse, Windsong Farm Golf Club can construct one 5,350 square foot guest house with six sleeping rooms. Use of the guest house will be limited as follows:
 - 1) Use of the guesthouse shall be limited to members and their non-paying guests.
 - 2) The maximum length of stay for any individual shall be limited to three (3) consecutive nights.
 - 3) Access to the guesthouses will be by golf cart only.
 - 4) Emergency vehicle access to the guesthouse shall be maintained at all times.
 - 5) The guesthouse shall not be equipped with a full kitchen.

6) No meals will be prepared in the guesthouse.

Palmquist asked about recommendation number four (4) regarding the comments from Hakanson Anderson as it wasn't attached.

Kaltsas stated it was a detailed review of the storm water piece, which was pretty technical and included review of storm water calculations. He stated that the City was provided with an email from Hakanson Anderson confirming that there were no issues identified in their review that would hold up the ability of the applicant to go forward.

Public Hearing:

Robert Lamp, 3252 N Elm St. Fargo, ND 58102, a friend of the family, stated information about the owner of the Windsong Golf Course. He stated Dave, the owner, purchased the property in January, as he wanted to move back near his hometown to be near family and friends. He stated Dave has his roots here and is looking to keep the area as a nice area. Dave is looking at enhancing his property and has purchased additional properties in the area. He stated the report was very direct and clear. The guesthouse is to be used by members and their guests.

Motion by Gardner, second by Thompson to close the Public Hearing. Ayes: Phillips, Gardner, and Palmquist; Nays; None; Absent: None. PUBLIC HEARING CLOSED.

Olson inquired about further clarification on the septic system and where it's located.

Dale Denn, 1108 Goldenrod Ln, Skakopee, MN 55379, stated that the circle does not encroach on the current septic site. The site of the new septic for the guesthouse is located in an undisturbed area of virgin soil.

Phillips stated that the application for tonight is not accurate, as it did not discuss a new septic for the guesthouse. He said tonight it was discovered that there is no intent to tie into the current system.

Olson asked about an alternative site for the septic, possibly the piece of land across from the Luce Line Trail?

Denn said that is correct. He said there is a triangular piece of property on the other side there is approximately 3 or 4 acres of upland suitable area.

Palmquist recapped stating if the structure where to be located where the existing secondary system is proposed, in addition to creating a separate site for the secondary system, the golf course would need to identify a primary and secondary site for the proposed guesthouse.

Denn stated we have done some generalized soil testing on these areas, so we know they are well drained enough to accommodate some type of system.

Phillips asked Kaltsas about meal preparation and serving in the guesthouse. He also asked the applicant about overflow parking off Highway 6 and a need for a crosswalk.

Jeff Arendt, 1665 Copeland Rd Independence, MN 55359, stated they are looking at some options and one of them being adding a tunnel under the road from the parking lot. He stated they are aware that is a dangerous spot.

Phillips stated he wanted to commend the golf course for incorporating rain gardens into your design. He stated he feels it a great method for dealing with the run-off that will be created. Palmquist stated he also thought that rain gardens were a welcome addition to addressing storm water .

Palmquist asked again about the food preparation. He asked about appliances and stated he assumed there was not going to be a stove or an oven.

Kaltsas stated the City did not want a full kitchen and allowing the preparation of full meals in guesthouse as it may change the use and no longer be an accessory to the golf course. He stated the City's threshold was no meals being prepared in the guesthouse, but being served in guesthouse would not be an issue. He said by not having a full kitchen it would help limit that use.

Arendt stated he does not want members to be preparing meals. Their intent was to allow golfers to make a cup of coffee in the morning or have a drink at night. He said they would prefer if they ate in their dining facility. Phillips stated he just wanted some clarification and consistency throughout the report.

Gardner questioned about the access to the guesthouse and choosing to limit it to golf carts only.

Kaltsas stated the issue is that it is not being set-up for car access and parking is not identified. He stated if they would park down there then there would be an issue with emergency access given the current plans. He also stated if they would want to change it in the future they could come back in and request the change.

Kaltsas explained they were careful in allowing access as they wanted to make sure the guesthouse remained accessory to the golf course rather than a standalone building.

Gardner stated he thought it could be over protective.

Thompson and Olson asked if they should not allow parking by the guesthouse but allow unloading and loading.

Gardner stated the issue comes down to creating a parking lot and golf carts do not need a parking lot.

Kaltsas stated access is to restrict the use of access to primarily golf cart use. He stated the concern is the Conditional Use Permit runs with the land and making sure it stays consistent with its intention.

Phillips asked Arendt how many member they currently have, and Arendt stated about 200.

Thompson stated that from ADA compliance standpoint allowing a vehicle for someone who is in a wheelchair may be needed.

Gardner also pointed out that delivery trucks may need to use the path as well.

Kaltsas state their intention is the primary access is golf carts. He said with this it protects the city on a long-term use. He said should the property change hands or switch from a private course to the public the building will remain an accessory building not a public guesthouse.

Phillips asked how we deal with the documents regarding the septic system.

Kaltsas stated we would need to add information about the septic and its locations before it goes to City Council.

Phillips stated it is a permitting issue; however, he wants to make sure the documents read, as they need to.

Kaltsas suggested adding a condition requiring the applicant to provide the City a plan for serving the guesthouse, which indicates the location of a primary and secondary system, as well as an alternate site for the existing system.

Palmquist suggested modifying point number 5.a.4, regarding emergency vehicle access so that it covered both the existing and proposed buildings at the golf course. Kaltsas stated we could change it to emergency vehicle access to all buildings, including existing structures, the proposed structure, and throughout the sites.

Motion by Palmquist, seconded by Olson, to recommend to the Council a request for an amendment to the conditional use permit and site plan approval for 18 Golf Walk , subject to the five (5) conditions noted in the staff report with the additional language regarding the septic system and emergency vehicle matter.

Ayes: Phillips, Gardner, Palmquist, Olson, and Thompson. Nays: None. Absent: None. MOTION DECLARED APPROVED.

Kaltsas stated it will go to City Council on October 16th, 2012.

5. PUBLIC HEARING. Village Free Evangelical Church, 5725 County Road 11 (PID# 11-118-24-11-0007) request the City consider the following actions for the above address:

- a) An amendment to the Conditional Use Permit (CUP) to allow an expansion of the existing Church.
- b) Site plan approval for the proposed expansion of the Church.

The property is located on the south side of County Road 11 just to the west of Independence Road. The property is comprised of rolling topography with wetlands, moderate tree coverage and a creek. The property has the following characteristics, zoned agricultural, guided in the comprehensive plan as rural residential and is *10.61 acres in size*.

Kaltsas explained the applicant is seeking to expand the existing building to accommodate a new assembly area for the church. In doing so, any expansion or intensification of use shall require an amendment to the Conditional Use Permit.

Kaltsas stated churches are permitted as conditional uses in the Agriculture zoning district. He explained the church has a Conditional Use Permit that was originally approved in 1979 (see attached information relating to the original CUP). The original CUP permitted the construction of a 10,000 SF building with 65 parking spaces. The CUP was amended in 1987 to add an additional 1,500 SF. In 1997, the applicant preliminarily sought approval from the City to expand the church and the parking lot in a much greater fashion than what's being proposed tonight. Ultimately, it was approved by the city, but never built.

Kaltsas stated the church is now seeking to add an addition onto the existing building in order to accommodate a new worship and discipleship center. Currently held in the multi-use fellowship hall, but designated as a worship area. They are seeking to combine all their services so all their member could attend the service in the same room.

Kaltsas explained the existing church has a fellowship hall, classrooms, offices and a kitchen area. The existing building is constructed of brick and wood siding with an asphalt shingle roof. The existing church has a paved parking lot that can accommodate 94 cars. There is a gravel driveway and a gravel parking area on the backside of the building which accommodates for overflow parking if necessary.

The existing building has a Total SF of Building – ~13,000 SF (Main Floor – 8,000, Lower Level – 5,000). The total Number of Seats (Set up in Fellowship Hall) - ~150 – 200 – flexible as it has removable seating.

Kaltsas stated the applicant is proposing a 9,000 SF expansion to the existing church. He then explained the addition would include a new sanctuary on the main level and additional classroom and worship space on the lower level. It is initially anticipated the lower level space may or may not be finished and would be done at a future time.

Kaltsas stated the proposed expansion would include exterior finishes that would match the existing church building. He then explained the addition proposed is to have a sloped roof that will have a matching pitch to the original structure. The ultimate exterior design of the proposed addition has not been set in stone by the church and they are still working with an architect. The applicant is proposing to use a metal roof on the addition. The existing original church has a height of approximately 25 feet. The maximum height for structures in the Agriculture District is 35 feet, and the proposed addition does not exceed this. The applicant is not proposing any changes or expansions to the existing parking area as a result of the building addition.

The proposed expansion total square feet of the addition is – ~9,000 SF (Main Level – 5,760 SF, Lower Level – 3,292 SF). Total Number of Seats in proposed in the Sanctuary - ~265 seats. So additional seating is being proposed as a result of the expansion.

Kaltsas stated any amendment to an existing CUP must meet the same requirements established for granting a new CUP. 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.

Kaltsas stated the property is located on 10 acre and is surrounded primarily by wetlands and open agriculture fields. The site slopes from north to the south and a creek runs along the south perimeter of that site. The location, open space, natural buffers around the perimeter and proximity to other properties and or uses in the City appear to mitigate issues arising from the proposed expansion. The additional square footage will be located behind the existing structure so that the impact of the additional square footage and height from County Road 11 should be minimized. He stated there are two directly adjacent neighboring residential properties to the east that could potentially see the proposed expansion however those structures are at least 200 feet from the church. He said it is somewhat of an isolated property.

Kaltsas further explained as the proposed amendment relates to the criteria for granting a CUP, the following issues should be noted:

- Kaltsas stated a (hard surface) access to the perimeter of the facility is required. An asphalt, concrete or gravel surface provides access to all sides of the existing and proposed building. All gravel areas that will provide fire access to the building will need to be constructed to support the International Fire Code’s fire apparatus weight load of 75,000 lbs as required by the building/fire code. The applicant will need to verify this, which is believed not to be an issue given how long it has been there and its current use.
- Kaltsas stated the applicant will be required to provide an interior firewall separation between the existing and proposed buildings. This is a requirement is due to the building not having fire sprinkler system; which could be difficult given the well on the property. The city building official has been working with the applicant on this. Essentially, they would be building two buildings even though they are connected with doorway openings.
- Kaltsas stated accessible access to the lower level of the existing building from the north side will need to be provided so that it meets applicable ADA criteria. One thing that will need corrections is there is an existing sidewalk that provides access around the east side of the building to the lower level. This access

does not meet accessible requirements. The one thing the applicant will need to do should they finish out the lower level is elevator access. So, they are designing the structure with an elevator shaft.

- Kaltsas stated the existing church currently uses an on-site septic system. They will need to connect to the City's sewer system as a result of this expansion. They currently have a stub on the property and are only required to have one (1) residential equivalent connection (REC) after the proposed expansion.
- Kaltsas stated the church currently has 94 parking spaces. The City's ordinance does not prescribe a parking standard for churches. Therefore, it is up to the City to determine an acceptable parking requirement. The recognized parking standard for churches in this area ranges between one (1) parking space per 3 seats and one (1) parking space per 5 seats in the sanctuary. They are judged on two criteria, free standing seating or secured benches/pews. In this case it's free standing seating.

Existing Facility (200 seats)

Parking spaces required at 1 space per 3.5 seats = 57 spaces

Parking spaces required at 1 space per 5 seats = 35 spaces

Additional Parking for Office, Classrooms = 5 spaces

Parking spaces provided – 94 spaces

Proposed Expansion (265 seats)

Parking spaces required at 1 space per 3 seats = 88 spaces

Parking spaces required at 1 space per 5 seats = 53 spaces

Additional Parking for Office, Classrooms = 7 spaces

Parking spaces provided – 94 spaces

- Kaltsas stated given there is also an overflow gravel parking lot, the fact that there has never been a parking issue, and given they are trying to accommodate their existing membership rather than expand for new members the parking lot it appears to be adequate.
- Kaltsas state the applicant has not proposed any supplemental screening of the proposed addition from the surrounding properties. While there is some existing screening on the North and East side of the property, it is recommended by the City that additional screening is provided. There isn't a calculated number but the Eastside would benefit the most to buffer and screen.
- Kaltsas stated a grading and erosion control permit will be required as a result of the proposed addition which is done at the time of the building permit.
- Kaltsas stated he did receive comments from the City's storm water consultant. They recommended adding a small rain garden on the Southside side of this project. Given we are trying to protect Lake Independence which the neighboring creek runs into it would a great consideration. The closest wetland is 100 feet away. Pioneer-Sarah Creek Watershed District conceptually reviewed the proposed addition and it did not exceeding the watersheds ½ acre threshold which would trigger additional review.

Kaltsas explained the proposed amendment to the conditional use permit to allow the expansion of the church facility appears to be generally consistent with the existing use of the property. The requested amendment to the conditional use permit appears to meet all of the aforementioned conditions and restrictions.

Kaltsas state the City has not received any written comments regarding the proposed amendment to the conditional use permit.

Recommendation:

Kaltsas explained the staff is seeking a recommendation from the Planning Commission for both the request for an amendment to the Conditional Use Permit and Site Plan approval with the following findings and conditions:

1. The proposed Conditional Use Permit amendment request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
3. This amendment approves the expansion of the building in accordance with the plans approved by the City and dated September 25, 2012. The expansion will consist of a 9,000 square foot addition. Any further expansion of the facility will require an amendment to the conditional use permit and site plan approval.
4. The applicant shall provide landscape screening along the east side of the proposed addition. A landscape plan shall be submitted to the City with the building permit submittal. The plan will be reviewed and approved by the City prior to issuance of the building permit.
5. An accessible access to the lower level of the existing building, originating from the north side and wrapping around the east side, will need to be provided so that it meets applicable ADA criteria. The applicant will need to provide an approved accessible access to the existing lower level.
6. The temporary classroom will be removed following construction of the proposed addition.

Olson asked if the gravel driveway is considered permeable or hard surface.

Kaltsas stated the City and the watershed district consider it hard surface. The threshold for increasing the impervious square footage of a site is one half acre; which is about 20,000 square feet.

Public Hearing

Dan Heitke, Village Church, 5725 County Rd 11, Independence, MN 55359, went on to discuss a little bit of the church's history and stated the church has about 110 members. He stated the average Sunday church attendance is 140 to 150 people. They currently only have one (1) service to help bring everyone together. He stated they are not looking at expanding the membership, and they are not interested in becoming a mega church. They are simple looking at created a dedicated sanctuary area. He also stated they are still in the preliminary design process. An architect and general manager has been hired. He stated like many churches they are on a budget with this addition. The addition would be on the Westside of the sanctuary, and the portable classroom would be removed for the new addition. He stated they have been working with the building official to ensure the structure is up to building code. He stated they were looking forward to hooking up the City's sewer system. He stated as far as parking goes he feels the current lot suits them just fine but at some point, they would be interested in possibly paving the overflow lot.

Spencer stated there is a unique opportunity, regarding best management practices for things like water run-off and rain gardens, as the City is applying for the Community Partners Grants; which may allow the Church to incorporate those best management practices at virtually no cost to themselves for up to \$25,000. Within the next two years the Church would have to apply to the City as a community partner. The match is 25%, but can be met by providing volunteer hours. He stated any benefit the city may get from water run-off/ nutrient reduction into Lake Independence may also help in a credit from RPML. He stated to have their architect incorporate something into their drawings. He stated the City should know more information sometime after December 15th. He stated his own church in Delano did the same thing.

Motion by Gardner, second by Palmquist to close the Public Hearing. Ayes: Phillips, Gardner, Palmquist, Olson and Thompson; Nays; None; Absent: None. MOTION DECLARED APPROVED.

Palmquist asked Spencer about the grant.

Spencer stated under the Community Partner's Grant the City would hold the money and under certain circumstance could issue a grant to projects that would reduce nutrient loads into indentified bodies of water.

Phillips stated he would strongly encourage the church to apply.

Spencer stated he would incorporate the best management practices into their design. Spencer stated these types of opportunities do come up frequently and if we do not get the grant we'll apply at the next go around.

Phillips stated if they incorporate it into the design it doesn't have a set-time frame as to when it has to be completed.

Olson asked where the playground will go if the addition is constructed.

Heitke stated the playground will likely be removed as it's not in a desirable location.

Phillips asked if the exterior was going to match.

Heitke state it was and they would be using Hardy Board siding.

Palmquist asked Kaltsas if he could give some direction on adequate screening, number of plants and how they are placed.

Kaltsas stated he was looking for input from the Planning Commission, but figured that along the East side 7 to 8 trees or 1every 25 feet along the building addition should be sufficient.

Olson asked if they could be positioned to screen the adjacent residential properties.

Kaltsas stated the best way to work with them would be to have it listed on their plan.

Phillips stated he noticed that there is not a condition requiring the applicant to hook up to the sewer.

Kaltsas stated that technically there does not need to be as its part of an existing requirement and is a code issue.

Phillips asked about the stubs capacity.

Kaltsas stated this fit within the cities calculations.

Phillips asked Heitke if he was open to making these landscaping changes to their design.

Heike state he was very familiar with rain gardens and would be interested in adding them.

Thompson asked about how septic systems are retired and abandoned.

Kaltsas stated the abandonment certification is part of the permit and we verify it.

Thompson asked if the rain gardens should reference the expansion specifically or should accommodate run-off from or the entire structure.

Kaltsas stated we need to make sure at this point that it covers at least the additional square footage added as a result of the addition.

Motion by Palmquist, seconded by Gardner, that the Planning Commission recommend to Council approval for the request of the Conditional Use Permit for, 5725 County Road 11, Evangelical Free Church, subject to the conditions and the recommendations from the staff and in the report with an additional condition that

the applicant work with staff to identify and apply for grants regarding a storm water system or best management practices on the South side of the building, size sufficient to mitigate the additional imperious area created by the expansion area . Ayes: Phillips, Gardner, Palmquist, Thompson, and Olson. Nays: None. Absent: None. MOTION DECLARED APPROVED.

6. OPEN/MISC.

Phillips asked do we need to define the Public/Semi Public placeholder as described earlier.

Kaltsas stated he agrees we do

Phillips stated he was uncomfortable characterizing something that has no meaning. He stated he wants to put it on the next agenda to discuss.

Phillips asked about a parking standards for a church and questioned if we needed one in our ordinance.

Kaltsas stated it is a comfort level. Kaltsas explained we have a limited number of uses identified in the ordinance that have parking standards. We currently have six or seven. He stated he liked how it is in the city because there is a little flexibility in determining adequate parking standards for each individual use and fewer variances are needed, plus there is limited commercial and retail space in the City.

Palmquist stated he liked the idea of the City applying for grants similar to the water quality grant, and is looking forward to the City applying for more grants that would benefit the residents. He suggested the staff up together a list of possible and available grant opportunities.

Thompson questioned about marketing the grants out to potential applicants.

Spencer stated historically these grants have been applied for through the watershed districts but have recently started allowing other entities to apply for these. He stated unfortunately, we have not received any yet, but we are getting better at applying for them. He stated that once we get a grant we have about a year to spend it. At this time, we will actively seek applicants. After we start receiving grants, we can start using them as an incentive.

7. ADJOURN

Motion by Olson, seconded by Gardner, to adjourn the meeting at 9:08 p.m. Ayes: Phillips, Gardner, Palmquist, Olson, and Thompson; Nays: None. Absent: None. MOTION DECLARED CARRIED.

Respectfully submitted

Jolene M Nelson, Recording Secretary