



## MAYOR AND COUNCIL COMMUNICATION

DATE: 10/18/2016

**REGULAR**

ITEM #: 19

**AGENDA ITEM:** Conditional Use Permit Amendment - Rockpoint Church Overflow Parking Lot – 5825 Kelvin Avenue North

**SUBMITTED BY:** Emily Becker, City Planner

**THROUGH:** Kristina Handt, City Administrator

**REVIEWED BY:** Stephen Wensman, Planning Director

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### **BACKGROUND:**

Rockpoint Church has submitted application for a Conditional Use Permit Amendment to allow the construction of an overflow parking lot on the eastern portion of their property. The proposed parking lot would provide an additional 124 spaces, including 8 accessible parking spaces. A future parking area has been designated that would provide an additional 116 parking spaces.

### **ISSUE BEFORE COUNCIL:**

The Council is respectfully requested to consider a request for a Conditional Use Permit Amendment from Rockpoint Church to allow construction of an overflow parking lot at 5825 Kelvin Avenue North.

### **PROPOSAL DETAILS/ANALYSIS:**

#### **Proposal Details:**

- Rockpoint Church was established within what was formerly known as Deer Glen subdivision, currently platted as Hidden Meadows of Lake Elmo.
- The site is zoned PF – Public and Quasi-Public Open Space and is 19.67 acres in size.
- Places of worship are conditional uses in the PF zoning district.
- The property was granted a Conditional Use Permit for a place of worship in 2005 by Resolution 2005-029.
  - The conditions of approval included approval of a 520 site plan.
- A Conditional Use Permit amendment was granted in 2011 to allow an expanded parking lot, as the proposed expanded parking lot was not part of the approved 520 site plan.
  - Construction on this parking lot never took place.
    - Section 154.106: Conditional Use Permits of the Zoning Code requires that substantial construction take place within 12 months of the CUP being granted.

- Due to the aforementioned, and because the new parking lot currently being proposed is significantly different than the amendment approved in 2011, a new Conditional Use Permit Amendment is being requested.

**Planning and Zoning Issues:**

- *Public and Quasi-Public Open Space Conditional Use Permit Provisions for Places of Worship.* All of these provisions are met except for the provision that the place of worship must be provided direct access to a public street classified by the Comprehensive Plan as major collector or arterial.
- *Surrounding Properties.* The property is within the 1<sup>st</sup> Addition of Hidden Meadows Plat. Hidden Meadows 2<sup>nd</sup> Addition, which surrounds the subject property, was granted Preliminary Plat approval for an Open Space Preservation Development in 2006, and a Final Plat application was received for the development recently, though deemed incomplete.
- *Setbacks.* The PF zoning district requires a buffer of 150 feet for a parcel of the subject property’s size. The proposed parking lot is setback more than 190 feet from all property lines, meeting requirements.
- *Off-Street Parking Requirements.* The proposed parking lot meets all Off-Street Parking Requirements set forth in the Zoning Code, exceeding the minimum number of required parking spaces.
- *Current and Proposed Number of Parking Spaces.* The current number of parking spaces on the property exceeds minimum requirements, which are determined based on the number of seats and classroom/recreation space. However, the church holds a number of events that necessitate more parking than are currently provided. The table below outlines what currently exists and what is being proposed.

<b>Current # of Parking Spaces</b>	<b>Current <u>Minimum Required</u></b>	<b>Previously Approved Addition of Parking Spaces</b>	<b>Proposed Addition of Parking Spaces (not including future parking spaces)</b>	<b>Proposed <u>TOTAL Future Addition</u> of Parking Spaces</b>	<b>Proposed Total # of Parking Spaces</b>
295	130	84	124	232 (will require two more handicap-accessible spaces)	527 (will require two more handicap-accessible spaces)

- *Events.* Additional parking is needed due in part to church events. The church holds the following events throughout the year:
  - Corn Maze – conducted in the fall for four to six weekends during the afternoon.
  - Valley Lights – conducted in November and December, nightly.
  - Outdoor Baptism – conducted in the summer of each year on one or two weekends.
  - Outdoor Worship Services – conducted in the summer months.
  - Community Garden – conducted in spring, summer, and fall.
- *Lighting.* Lighting details were not provided but will need to comply with the City’s Lighting, Glare Control, and Exterior Lighting Standards.

- *Landscaping Requirements.* The east side of the parking lot is screened by pine and spruce, and the plan proposes interior parking lot landscaping as well. The plan will need to be updated to clarify proposed landscaping of the future parking lot area.
- *Impervious Coverage.* The proposed parking lot will increase the impervious surface to 27.02%, and the future parking lot will further increase it to 31.6%. This does not exceed the maximum-allowed amount of 35%.
- *Engineering Comments.* The applicant shall address comments provided by the Engineer prior to issuance of a permit for construction for the parking lot.
- *Fire Hydrants.* The proposed plans will need to accurately show utilities so that appropriate fire hydrant locations can be determined. The plans will also need to include “No Parking” and “Fire Lane” sign locations and approved by the Fire Chief and Building Official.

**Conditional Use Permit Findings:**

- Conditional Use Permit findings are provided in the attached Resolution.

**Conditions:**

- The recommended conditions of approval are outlined in the attached Resolution.

**FISCAL IMPACT:**

Staff does not foresee a fiscal impact by granting this Conditional Use Permit amendment.

**PLANNING COMMISSION/PUBLIC HEARING:**

A public hearing was held on the proposed Conditional Use Permit at the October 10, 2016 Planning Commission meeting. The meeting minutes are attached to this report. No one from the public spoke at the meeting. The Commission recommended approval with an affirmative vote of 6 - 0.

**OPTIONS:**

The Council may:

- Approve the Conditional Use Permit amendment request, with recommended conditions of approval.
- Amend the recommended conditions of approval and approve the Conditional Use Permit amendment request.
- Deny the Conditional Use Permit amendment request.

**RECOMMENDATION:**

Staff respectfully requests that the Council approve, as recommended by the Planning Commission and Staff, the request made by Rockpoint Church for a Conditional Use Permit Amendment to allow construction of an overflow parking lot for the property located at 5825 Kelvin Avenue North, subject to conditions of approval with the following motion:

***“Move to adopt Resolution 2016-91, granting a Conditional Use Permit Amendment to allow construction of an overflow parking lot on the property located at 5825 Kelvin Avenue North, subject to the outlined conditions of approval.”***

**ATTACHMENTS:**

- Resolution 2016-91
- Conditional Use Permit Amendment application and materials
- Engineering & Fire Chief/Building Official Comments
- Resolution 2005-029 – Approval of Original Conditional Use Permit
- Resolution 2011-041 – Approval of Conditional Use Permit Amendment to Allow Overflow Parking Lot Construction
- Overflow Parking Lot Site Plan Approved in 2011
- Planning Commission meeting minutes (10/10/16)



**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION 2016-91**

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT TO ALLOW  
CONSTRUCTION OF AN OVERFLOW PARKING LOT FOR A CHURCH FOR THE  
PROPERTY LOCATED AT 5825 KELVIN AVENUE NORTH*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Rockpoint Church, 5825 Kelvin Avenue North, Lake Elmo, MN 55042, (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit amendment to allow the construction of an overflow parking lot on the eastern portion of its property located at 5825 Kelvin Avenue North (the “Property”); and

**WHEREAS**, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on October 10, 2016; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated October 18, 2016, 2016; and

**WHEREAS**, the City Council considered said matter at its October 18, 2016 meeting.

**NOW, THEREFORE**, based on the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the procedures for obtaining said Conditional Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.

- 3) That the proposed Conditional Use Permit amendment is to allow construction of an overflow parking lot on the east side of the property.
- 4) That the Conditional Use Permit amendment is granted for the property legally described as follows and commonly known as 5825 Kelvin Avenue North:

Lot 1, Block 1, Hidden Meadows of Lake Elmo, Washington County. PID # 02.029.21.21.0003.

- 5) The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.  
***The proposed parking lot would have no such impact. It will accommodate an increase of attendance at an existing church.***
- 6) The use or development conforms to the City of Lake Elmo Comprehensive Plan.  
***The proposal is consistent with the Comprehensive Plan in that the Property is guided for Public/Park use. Places of worship are a conditional use in this district.***
- 7) The use or development is compatible with the existing neighborhood.  
***The use is compatible with the existing neighborhood, as it is an expansion of, and an accessory use to, an existing use as a place of worship.***
- 8) The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter.  
***The use meets most standards for places of worship, except for the standard that direct access to the church be provided to a public street classified by the Comprehensive Plan as a major collector or arterial. The church is provided direct access by Kelvin Avenue North, which is classified as a local/municipal street and connects to Keats Avenue North, which is classified as a major collector.***
- 9) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management).  
***The property is located outside a flood plain management area.***
- 10) The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.  
***The proposed parking lot expansion will be compatible in design to the existing parking lots and will be adequately screened from residential areas.***
- 11) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures.  
***The proposed parking lot expansion will not be hazardous or create a nuisance, as the parking lot will accommodate an increase in attendance that the existing parking lot does not.***

- 12) The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. ***The proposed use is expected to be served adequately by the aforementioned.***
- 13) The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. ***The proposed use is not expected to create additional requirements at public cost or be detrimental to economic welfare.***
- 14) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, Property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. ***Provided conditions are met, the proposed use is not expected to be detrimental.***
- 15) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***The proposed parking lot would alleviate ongoing incidents of congestion on nearby streets during special events and holidays.***
- 16) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. *N/A*

### **CONCLUSIONS AND DECISION**

Based on the foregoing, the Applicant's application for a Conditional Use Permit amendment to allow for the construction of an overflow parking lot is granted, subject to the following conditions:

- 1) The applicant must obtain a permit from the Valley Branch Watershed District prior to the issuance of a permit for construction and provide a copy of the permit to the City.
- 2) Lighting will need to comply with Section 150.035: Lighting, Glare Control, and Exterior Lighting Standards of the City Code.
- 3) Designation of two additional accessible parking spaces must be shown on the site plan for when future parking is constructed.
- 4) The site plan shall be revised to provide safe, handicap accessibility to the existing sidewalk detailed on the site plan.
- 5) The future parking area may not be used as parking until paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete.
- 6) Financial security of 125% of the cost of proposed landscaping shall be required prior to issuance of permit to ensure performance for at least two years after the installations have been completed.
- 7) Landscape plans shall comply with the City irrigation specifications and with water supply connection detail, and be approved by the City.
- 8) New landscape plans must be submitted prior to the issuance of a permit for construction of the future parking lot to ensure compliance with screening requirements on the east side of the parking lot.

- 9) Site plans shall be revised and approved by the Fire Chief and Building Official to indicate appropriate “No Parking” and “Fire Lane” sign locations.
- 10) Water utilities shall be shown on the plans, and fire hydrant locations must be added in accordance with the 2015 Minnesota State Fire Code and approved by the Fire Chief and Building Official. All other items addressed in the email from the Building Official dated October 4, 2016 shall be addressed.
- 11) Appropriate watermain and hydrant easements shall be granted.
- 12) The applicant shall address all comments provided by the Engineer via attached email dated September 28, 2016.
- 13) The applicant shall amend the site plan to either curb the northern portion of the parking lot that is proposed to connect to the future parking lot or eliminate the connection altogether until the future parking lot is constructed.
- 14) Construction of the proposed parking area and future parking area must be in compliance with the approved site plan, meeting conditions outlined herein.
- 15) The expiration provisions outlined in Subd. K: Expiration of Section 154.106: Conditional Use Permits apply to the construction of the proposed parking lot. This provision does not apply to the future parking lot as indicated on the site plan.

Passed and duly adopted this 18<sup>th</sup> day of October, 2016 by the City Council of the City of Lake Elmo, Minnesota.

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Michael Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk



July 25, 2016

Emily Becker  
City Planner  
City of Lake Elmo, MN

Re: CUP Amendment for a Parking Lot Expansion  
Rockpoint Church  
5825 Kelvin Ave North  
Lake Elmo, MN

Hello, Emily-

Following are itemized responses to required informational items listed in the Land Use Application:

**1) Contact Info**

- a) Owner: Rockpoint Church. Contact: Bill Bartolic 612-805-4895, [williambartolic@gmail.com](mailto:williambartolic@gmail.com)  
Architect: Richard Stuerman, BWBR Architects, 651-290-1984, [rstuerman@bwbr.com](mailto:rstuerman@bwbr.com)

**2) Site Information**

- a) Current zoning: PF  
b) 20 acres

**3) Property History**

- a) The property was farmed until 2006. Construction of Rockpoint Church was completed in 2007, and included on-site parking for approx. 300 cars.
- b) The property has continued to function as a church facility since 2007, and growth in the attendance has continued to increase. We, therefore, now need to expand our current parking capability in order to accommodate the attendance increase, and to keep fire lanes open during church activities.
- c) We have met with BWBR Architects, who were the original architects for the construction of the church, to help us determine what parking capability current codes and ordinances would allow. Through this process, we have determined that we are able to construct up to an additional 260 parking stalls, but we are only seeking to build approx. additional parking stalls at this time. We have also met with Emily Becker and Stephen Wensman to discuss our long term plans for the present site, which includes a fully expanded building and site development Master Plan, of which the current parking lot expansion is a part. In 2011, Rockpoint Church received approval for a CUP Amendment to build a dirt parking lot, but the construction of the dirt parking lot never occurred. Emily Becker informed that, because our latest plan for the parking lot expansion is significantly different than the dirt lot approved in 2011, we must now secure a new CUP Amendment, which this document will serve.

**4) Discription of Proposed Use**

- a) The proposed location for the parking lot expansion is east of the present church building. Currently, the proposed site is farmed and/or fallow. Our plan is to orient the parking in a north/south direction, of which the west half would be constructed now. The east half would be constructed in the future when the church building is fully expanded. Ingress and egress from the new parking lot will be by way of existing drive lanes now on the property. We do not anticipate that the construction of the parking to will cause any negative impact on existing wetlands or surrounding farmland. Construction of the 1<sup>st</sup>



phase of this masterplan parking lot will be of permanent materials, including concrete curb and gutter, asphalt pavement, site lighting, and green restoration.

**5) Justification**

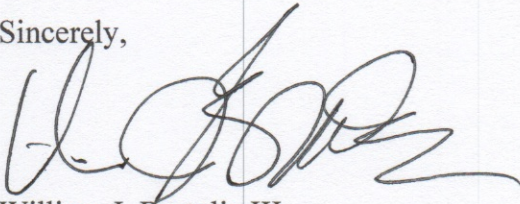
- a) We worked with BWBR Architects in the development of our master site plan, and preparation of the parking lot expansion. The master site plan, inclusive of the parking lot expansion, was based upon, and in compliance with, current codes and ordinances enforced in the City of Lake Elmo. Therefore, the parking lot expansion will not be detrimental or endanger the public health, safety, or comfort. The expansion conforms with the City of Lake Elmo Comprehensive Plan, and it is compatible with the existing neighborhood, and it will not change the essential character of that area. Also, the proposed use will adequately serve the public facility and services. Since the parking lot is private, it will not cause any more cost to the city for maintenance and upkeep of Kelvin Ave No than was identified and anticipated when the Kelvin Ave No was originally constructed in 2007. Similarly, the parking lot expansion will not create more traffic or noise than was originally anticipated when the church construction was approved as a public facility on 20 acres in 2006. Finally, the parking lot expansion will not result in the destruction of any natural or scenic feature of major importance.

We have attached two (2) copies of the site plan prepared by BWBR Architects for your initial review, and are prepared to engage the services of a civil engineer to assist in addressing your specific requirements.

We are in immediate need of this parking lot expansion, and are poised to help in expediting this process in any way we can.

Thank you for your consideration.

Sincerely,



William J. Bartolic III  
Co-Chair  
Rockpoint Church  
612-805-4895







Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## LAND USE APPLICATION

- Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading
- Lot Line Adjustment  Minor Subdivision  Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan  PUD Preliminary Plan  PUD Final Plan  Wireless Communications

Applicant: BILL BARTOLIC  
Address: 5825 KELVIN AVE NO, LAKE ELMO, MN 55042  
Phone #: 612-805-4895  
Email Address: WILLIAMBARTOLIC@GMAIL.COM

Fee Owner: ROCKPOINT CHURCH  
Address: 5825 KELVIN AVE NO, LAKE ELMO, MN 55042  
Phone #: 651-770-3172  
Email Address: \_\_\_\_\_

Property Location (Address): 5825 KELVIN AVE NO  
(Complete (long) Legal Description: \_\_\_\_\_

PID#: \_\_\_\_\_

Detailed Reason for Request: PARKING LOT EXPANSION.

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 7/25/16

Signature of fee owner: [Signature] Date: 7/25/16

CO-CHAIR  
ROCKPOINT CHURCH



Conditional use permits can be requested for many different uses in all areas of the City which makes it very difficult to generate at handout that is applicable in all situations. It is strongly recommended that an applicant meet with staff prior to putting an application together to identify components listed herein that may be exempted, and to identify additional information that may be needed in order to deem your application complete.

**At a minimum, the following materials must be submitted prior to deeming an application complete:**

**Sub:**

**Req:**

**Item:**



- 1. **A completed land use application form signed by all property owners along with payment of the proper filing fee.**



- iv. The proposed use meets all specific development standards for such use listed in Article 7 of the Zoning Code.
- v. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use.
- vi. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- vii. The proposed use will not be hazardous or create a nuisance as defined in the zoning code to existing or future neighboring structures.
- viii. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- ix. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- x. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- xi. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- xii. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

N/A

**Sub:**  **Req:**  **3.**

**Item:** **Verification of ownership** (a copy of a current title report, purchase agreement, etc.)

N/A

**4.**

**Address labels:** A certified list of property owners located within three hundred fifty (350') feet of the subject property obtained from and certified by a licensed abstractor or through Washington County (see attached form).



- Building coverage
- Driveway and parking
- Public street right-of-way
- Open space and/or landscaped area
- Proposed Treatment of the Perimeter, including Screens, Fences, Walls, & Landscaping
- Location of adjacent Municipal boundaries
- Top and toe of bluffs (if applicable)
- Location, dimensions, and number of off-street parking spaces (including guest, handicapped, bicycle, and motorcycle spaces)
- Location of existing and proposed pedestrian sidewalks. Identify possible vehicular conflicts and indicate the proposed treatment of such
- Administrative Information:
  - Scale & North Point
  - Signature of Surveyor
  - Date of Preparation
  - PID Number
  - Site Address
  - Legal Description
  - Subdivision Name (if applicable)
  - Zoning Classification
  - Parcel Size in Acres & Square Feet
- Other: \_\_\_\_\_

**Sub:**   **Req:**

**Item:**

- 6. Landscape Plan:** Ten copies of a Landscape Plan depicting the property in question. Each document shall be at a consistent, readable, and measurable engineering scale, be composed of sheet(s) not smaller<sup>6</sup> than 11x17, and be pre-folded for distribution. Staff will assist you in determining what is required.

The landscape plan will not be considered complete unless all required elements are included.

- Extent and location of all plant materials and landscape features. Please include a plant material schedule with common and botanical names, symbols, sizes, quantities, and total percentage of each species.
- Flower and shrub beds shall be clearly shown and drawn to scaled dimensions. Actual plant quantities must be shown with landscape edge and mulch material identified.

<sup>6</sup> If your survey or sketch plan must be larger than 11x17 to be fully legible, we ask that that ten (10) copies of the plan be in the large format, and an additional twenty (20) be reduced to 11x17.



- A detailed lighting plan insuring that all lighting apparatuses are down shielded as to ensure such do not shine or create glare on abutting properties and surrounding areas (include a specification sheet for all wall fixtures and site plan fixtures).
- Location of utility meters, HVAC equipment, vaults, irrigation boxes, transformers, and other utility service functions (such as conduits, and vents). Show how this equipment will be screened so that the visual and acoustic impacts of these functions are fully contained and out of view of the adjacent properties and public streets.

**Sub:**   **Req:**

**Item:**

- 8.   **Utilities & Services Plan:** A plan set detailing the existing and proposed utility systems including sanitary sewers, storm sewers, water, electric, gas lines, telephone lines, fire hydrants, and trash collection areas.
- 9.   **Electronic file(s) of plan sets.** Staff can generally work with most file formats (we would prefer .jpg or .pdf files).
- 10.   Any **other information** required by city staff, commissioners, or council members necessary to provide a complete review of the conditional use request. Information deemed critical to the review process not listed in this handout may be requested<sup>7</sup>. Staff will list other requirements below:

\_\_\_\_\_

The City may require (or the applicant may choose to submit) evidence that is beyond what is required in any section outlined in this handout. Please be advised that the City reserves the right to impose conditions on an approved conditional use if necessary to avoid a detrimental impact on surrounding properties or the City as a whole.

If you have any questions regarding these requirements, please call City Hall at (651) 747-3900. Thank You!

<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information.



## Stephen Wensman

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**From:** Jack Griffin <jack.griffin@focusengineeringinc.com>  
**Sent:** Wednesday, September 28, 2016 6:31 PM  
**To:** Emily Becker  
**Cc:** Stephen Wensman  
**Subject:** Re: Rockpoint Church Parking Lot Expansion Plans

Emily,

I have reviewed the Rock Point Church Parking Lot Plans and have the following comments for your consideration:

1. The plans must be signed by a Professional Engineer licensed in the state of Minnesota. No PE signature block was found on the plans. The plans should be resubmitted with signature.
2. Certificate of Survey: The survey must be revised to show the city watermain utility easements.
3. Existing Conditions Plan: The existing conditions plan must be revised to facilitate a complete review.
  - o The site utilities (watermain and storm sewer) do not appear to be accurately shown as compared to the record drawings (see attached).
  - o All easements must be shown on the plans including the city watermain utility easements.
  - o Existing drainage conditions must extend further to the north to depict the existing drainage discharge conditions (extend minimum 150 feet from property).
4. Erosion Control Plans: Erosion control information needs to be removed from the existing conditions plan and placed on the grading plans.
5. Site Plan. The plan indicates more than 6,000 SF of new impervious surface is being added. The applicant must obtain a VBWD permit for the project. The city should be provided a copy of any approved permit.
6. Stormwater Management:
  - o The applicant must execute a Stormwater Maintenance and Easement Agreement in the City's standard agreement form for the privately owned storm water facilities.
  - o Pre-treatment should be incorporated into the plans prior to runoff reaching the infiltration basin.
7. Grading Plan:
  - o Erosion control information must be shown on the grading plans.
  - o High water level (HWL) elevation for the proposed infiltration basin must be shown on the plans. All emergency overflow points must be shown in **BOLD** and labeled as EOF.
  - o The HWL must be shown to be fully contained on the Rock Point Church property.
  - o Minimum storm sewer pipe size is 15-inch. The stormwater model should be updated along with the plans.
8. Landscape Plans: I did not review the landscape plans, Sheets L1 and L2.
9. No review was completed in regards to parking requirements, either total stalls or handicap stall compliance.

Please let me know if you have any questions or require any further review. Thanks ~Jack

John (Jack) W. Griffin, P.E.  
Principal / Sr. Municipal Engineer

**FOCUS** ENGINEERING, INC.

651.300.4264

[jack.griffin@focusengineeringinc.com](mailto:jack.griffin@focusengineeringinc.com)

On Wed, Sep 14, 2016 at 2:52 PM, Emily Becker <[EBecker@lakeelmo.org](mailto:EBecker@lakeelmo.org)> wrote:

Jack,

Rockpoint Church has submitted an application for a CUP amendment for a parking lot expansion. I have put the large plans of the attached along with a hard copy of the storm water management plan in your inbox. Can you please review when you're able?

Emily Becker

City Planner

City of Lake Elmo

[651-747-3912](tel:651-747-3912)

[ebecker@lakeelmo.org](mailto:ebecker@lakeelmo.org)



**From:** [Michael Bent](#)  
**To:** [Emily Becker](#)  
**Cc:** [Greg Malmquist](#); [Stephen Wensman](#)  
**Subject:** Rock Point Parking Plan  
**Date:** Tuesday, October 04, 2016 1:53:51 PM

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Emily,

Chief Malmquist and I have reviewed the parking plan proposed by Rock Point Church. The following comments should be included with your review:

1. The proposal is incomplete due to the lack of water utilities shown on the plans. Utilities locations need to be included in order to review and approve fire hydrant spacing per city requirements.
2. All of the drive lanes proposed and existing will need to be shown as 'No Parking, Fire Lanes' with required signage per the 2015 Minnesota State Fire Code.
3. There are handicap parking stalls shown on the proposed parking plans, the accessible route needs to be shown from the lot to the building and verified as meeting the 2015 Minnesota State Accessibility Code.
4. The turn radiuses shown at the islands in the parking area will need verification that they meet the required turn radiuses as per city standards for emergency vehicles and apparatus access.

Thanks,

Mike B.

Michael Bent  
Building Official  
City of Lake Elmo  
651-747-3910  
[mbent@lakeelmo.org](mailto:mbent@lakeelmo.org)



CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-029

A RESOLUTION APPROVING THE REQUEST FOR A CONDITIONAL USE  
PERMIT BY LAKEWOOD EVANGELICAL FREE CHURCH FOR  
PROPOSED LOT 1, BLOCK 1, DEER GLEN

WHEREAS, on the 7<sup>th</sup> day of February, 2005, the Lakewood Evangelical Free Church (“Applicant”) submitted a completed application request that the City of Lake Elmo approve a Conditional Use Permit to construct a church on 20 acres, and

WHEREAS, on the 28<sup>th</sup> day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Conditional Use Permit application, the City Planner’s reports and comments, the comments of the Applicant and the Applicant’s representatives; and recommended denial of the Conditional Use Permit; and

WHEREAS, on the 15<sup>th</sup> day of March, 2005 and on the 19<sup>th</sup> day of April, 2005, the Lake Elmo City Council reviewed the Conditional Use Permit application, the City Planner’s reports and comments, the Planning Commission recommendation and the comments of the Applicant and its representatives.

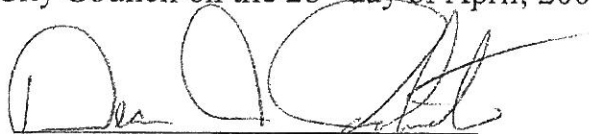
WHEREAS, on the 28<sup>th</sup> day of April, 2005, the City Council completed its review of the request to approve a Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby approves the Conditional Use Permit for a church on proposed Lot 1, Block 1, Deer Glen for the following reasons because the use is allowed within the PF zoning district; and subject to the following conditions:

1. Construction, at the applicant’s sole expense, of traffic improvements at the intersection of Keats Avenue and Highway 36, as defined in the traffic study dated the 15<sup>th</sup> day of December, 2004 prepared by Kimley-Horn and Associates, Inc.
2. Approval of a 520 Site Plan.
3. Approval of Plat creating a parcel not more than 20 acres.

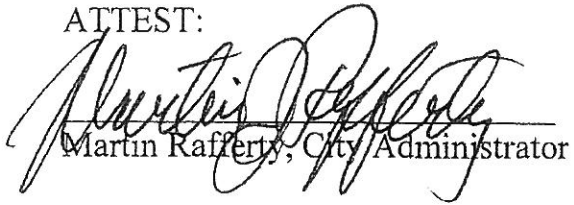


ADOPTED by the Lake E.ano City Council on the 28<sup>th</sup> day of April, 2005.



Dean Johnston, Mayor

ATTEST:



Martin Rafferty, City Administrator

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2011-041**

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR THE  
ROCKPOINT CHURCH AT 5825 KELVIN AVENUE NORTH TO ALLOW THE  
CONSTRUCTION OF AN OVERFLOW PARKING LOT*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, Rockpoint Church, 5825 Kelvin Avenue North (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit amendment to allow the construction of an overflow parking lot on the eastern portion of its 20 acre property, a copy of which is on file with the City; and

**WHEREAS**, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.018; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on August 8, 2011; and

**WHEREAS**, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated August 23, 2011; and

**WHEREAS**, the City Council considered said matter at its August 23, 2011 and September 20, 2011 meetings.

**NOW, THEREFORE**, based on the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.018.
- 2) That all the submission requirements of said 154.018 have been met by the Applicant.
- 3) That the proposed CUP Amendment is to allow the construction of an overflow parking lot on the eastern portion of the Rockpoint Church property.

- 4) That the proposed CUP Amendment will be located on property legally described as follows and commonly known as 5825 Kelvin Avenue North:

Lot 1, Block1, Hidden Meadows of Lake Elmo.

All in Washington County, State of Minnesota. PID Number: 02-029-21-21-0003

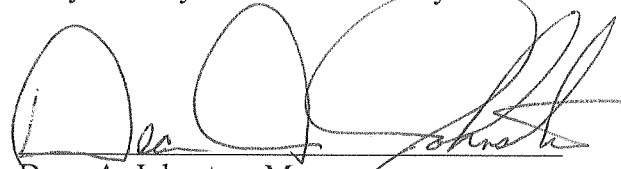
- 5) That the proposed structure will not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands. ***The proposed parking lot will be located in a screened portion of the applicant's site, and will not generate any additional traffic, noise, or other impacts beyond what presently exists on the property.***
- 6) The proposed improvements will not affect traffic or parking conditions. ***The proposed parking lot will provide additional overflow parking in another portion of the site, alleviating congestion caused by a shortage of parking during holidays, special events, and other times when parking is at or near capacity. No additional traffic from off-site will be generated from the new parking lot. The applicant has agreed to work with the City to develop a frontage road along Highway 36 by granting any easements necessary to implement such a frontage road system.***
- 7) The proposed improvements will not have an effect on utility or school capacities. ***Sanitary sewer facilities will not be provided to the parking lot.***
- 8) The proposed improvements would have no effect on property values of surrounding lands. ***The proposed parking lot will not be visible from surrounding lands and will accommodate activities already occurring on the site.***
- 9) The proposed improvements would be consistent with the Comprehensive Plan. ***Rockpoint Church is considered a "Place of Worship" and permitted as a Conditional Use in the PF Zoning District. The property is guided for Public and Semi-Public Facilities in the Comprehensive Plan.***
- 10) No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based on design capacity of all facilities, whichever is more restrictive. ***The proposed parking lot will not result in any increase in the septic system capacity for the site.***
- 11) Direct access is provided to a public street classified by the Comprehensive Plan as a major collector or arterial. ***Kelvin Avenue North is classified as a local/municipal street, which connects to Keats Avenue North, which is classified as a major collector.***

### CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted subject to the following conditions:

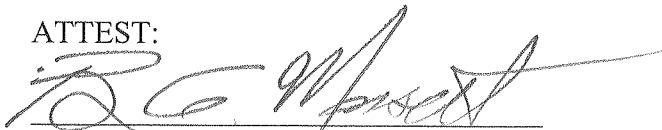
1. The applicant must obtain a permit from the Valley Branch Watershed District prior to construction.
2. The applicant shall agree to grant an easement to the City of Lake Elmo across the northern portion of Outlot A of Hidden Meadows of Lake Elmo in the location of the proposed 16" Watermain.
3. The applicant shall provide a letter of credit in the amount of 125% of the cost of paving and landscaping to complete the overflow parking lot. This letter of credit shall be returned to the Church upon completion of the improvements.
4. The applicant shall provide additional year-round screening with evergreen trees on the South side of the parking lot to shield the future residential development, which shall be planted as soon as the parking lot is constructed.
5. The applicant shall provide an erosion control plan, a landscaping plan, as well as specify the proposed material for the parking lot, per the City Engineer's request.
6. The applicant shall provide a storm water management plan, per the request of the Planning Commission

Passed and duly adopted this 20<sup>th</sup> day of September 2011 by the City Council of the City of Lake Elmo, Minnesota.



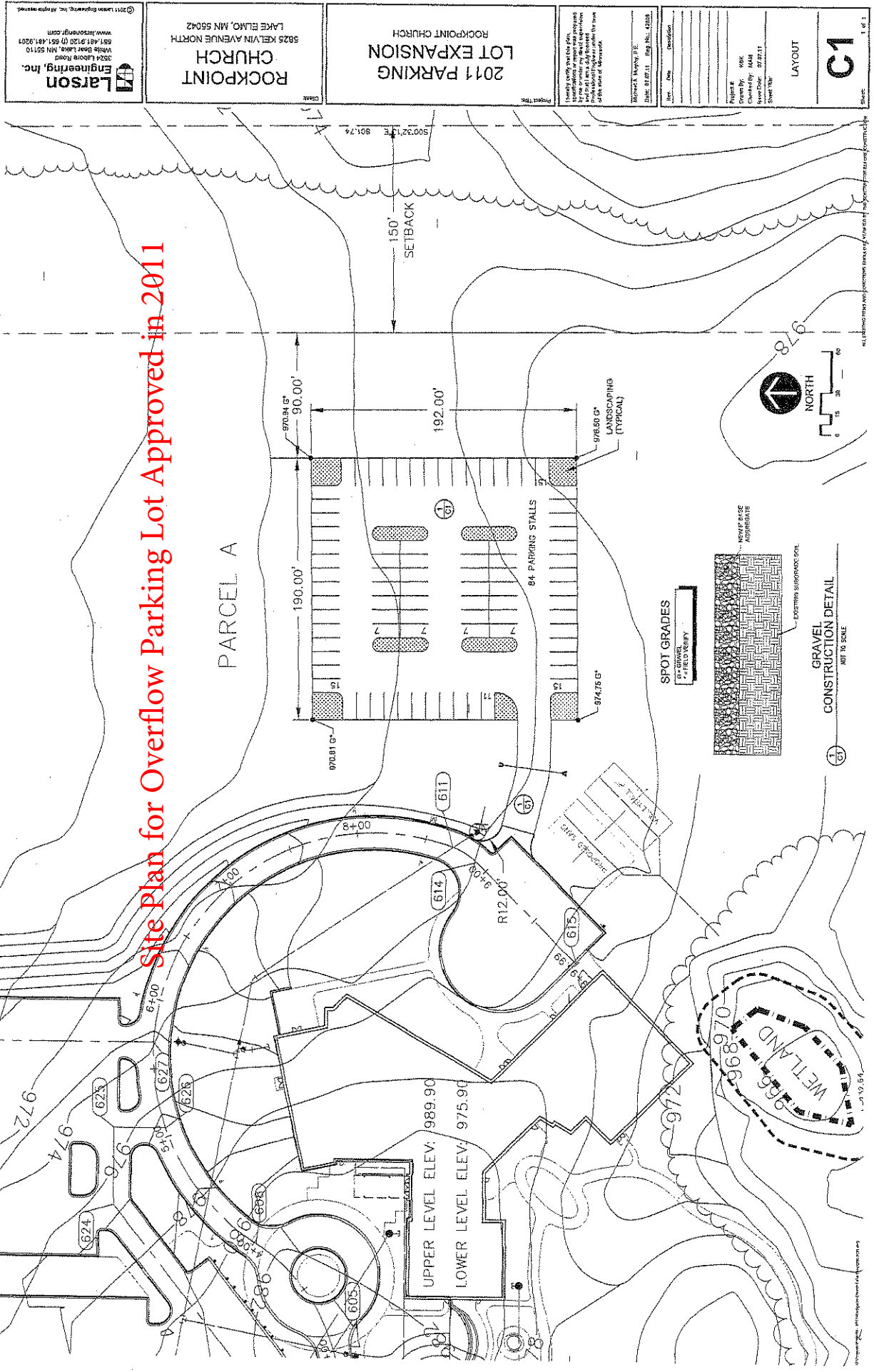
Dean A. Johnston, Mayor

ATTEST:



Bruce Messelt, City Administrator

Site Plan for Overflow Parking Lot Approved in 2011



Larson Engineering, Inc.  
 3224 Lagoon Road  
 White Bear Lake, MN 55110  
 651.481.2100 (F) 651.481.2093  
 www.larsonengr.com

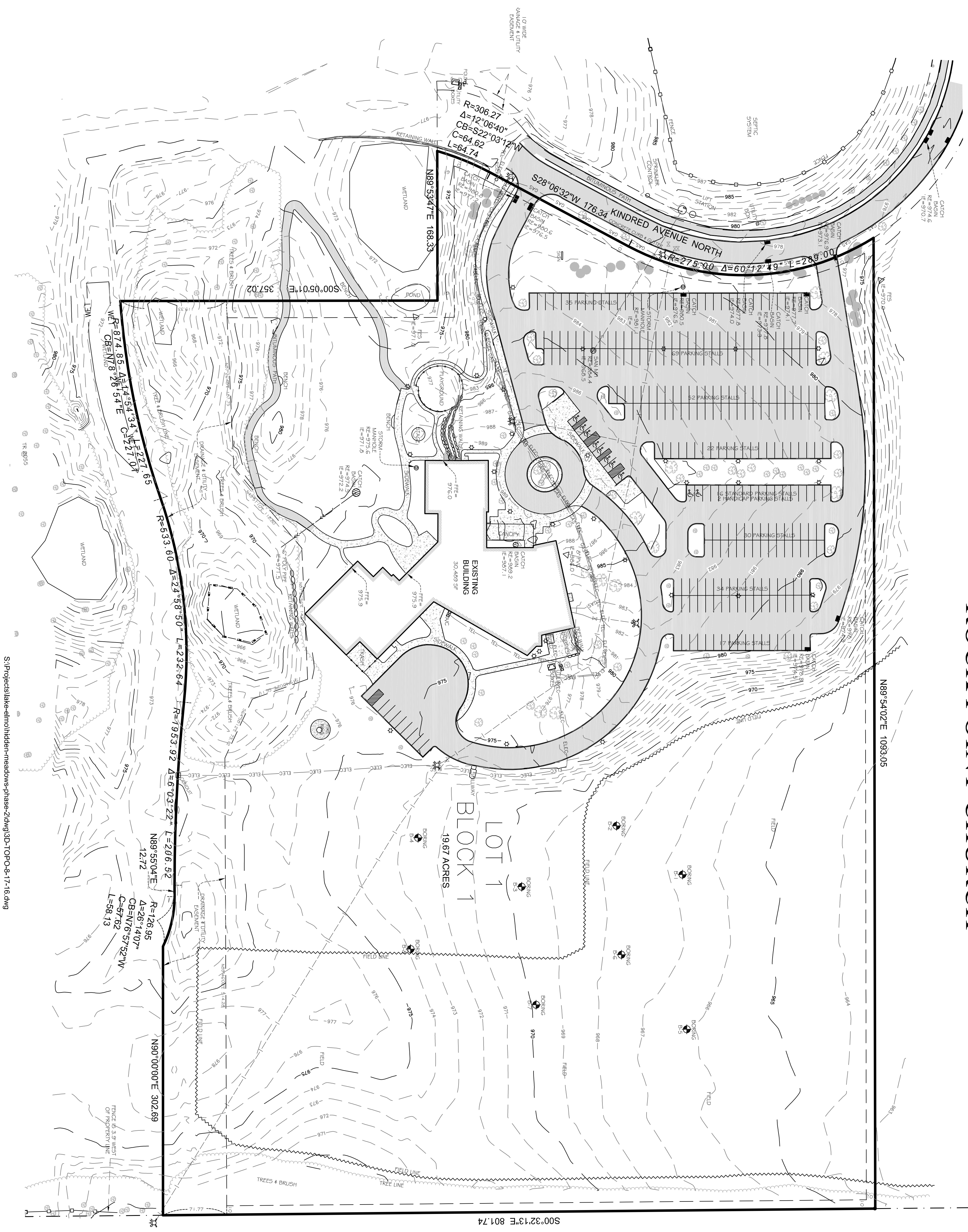
ROCKPOINT CHURCH  
 2011 PARKING LOT EXPANSION  
 LAKE ELMO, MN 55042

Project Title: ROCKPOINT CHURCH 2011 PARKING LOT EXPANSION

Project No.: 09020  
 Date: 02/21/11  
 Drawing No.: 09020-01  
 Project Name: ROCKPOINT CHURCH 2011 PARKING LOT EXPANSION  
 Client: ROCK  
 Designer: MAA  
 Checker: MAA  
 Date: 02/21/11  
 Sheet No.: 01

LAYOUT  
**01**

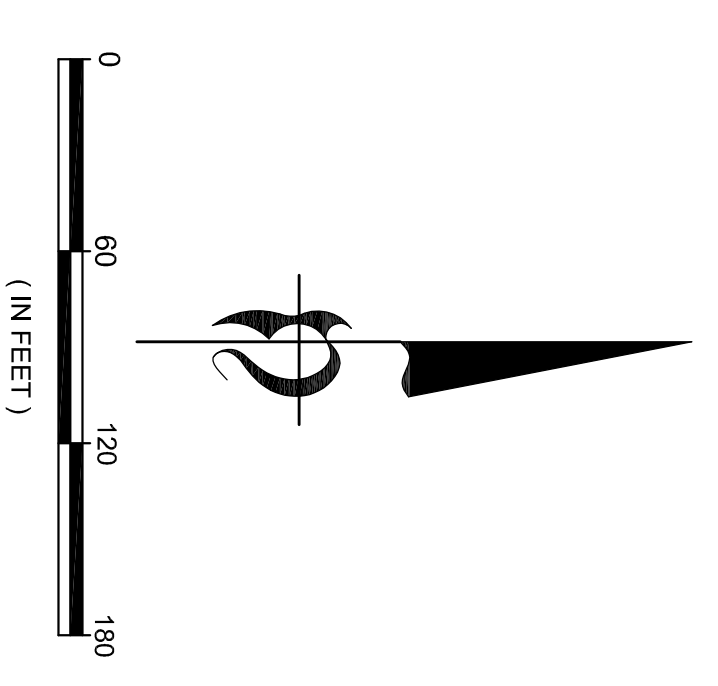
# CERTIFICATE OF SURVEY FOR ROCK POINT CHURCH



S:\Projects\lake-elm\hidden-meadows-phase-2\dwg\SD-TOPG-4-17-16.dwg

### LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- ⊙ DENOTES EVERGREEN TREE
- ⊕ DENOTES EVERGREEN TREE
- ⊖ DENOTES DECIDUOUS TREE
- ☀ DENOTES LIGHT POLE
- ☁ DENOTES GUY WIRE
- ⚡ DENOTES POWER POLE
- ⊞ DENOTES CATCH BASIN
- ⊞ DENOTES WATER VALVE
- ⊞ DENOTES FIRE HYD
- ⊞ DENOTES DRAINAGE MANHOLE
- ⊞ DENOTES SANITARY MANHOLE
- ⊞ DENOTES EXISTING CONTOUR
- ⊞ DENOTES SANITARY SEWER LINE
- ⊞ DENOTES WATER MAIN LINE
- ⊞ DENOTES STORM SEWER LINE
- ⊞ DENOTES FENCE
- ⊞ DENOTES FIBER OPTIC LINE
- ⊞ DENOTES OVERHEAD ELECTRIC LINE
- ⊞ DENOTES GAS LINE (BURIED)
- ⊞ DENOTES TELEPHONE LINE (BURIED)
- ⊞ DENOTES ELECTRIC LINE (BURIED)
- ⊞ DENOTES BITUMINOUS SURFACE
- ⊞ DENOTES CONCRETE SURFACE
- ⊞ DENOTES GRAVEL SURFACE



**PROPERTY DESCRIPTION**  
LOT 1, BLOCK 1, HIDDEN MEADOWS OF LAKE ELMO, CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: 8-18-2016  
**Thomas J. O'Meara**  
 THOMAS J. O'MEARA, LAND SURVEYOR  
 MINNESOTA LICENSE NO. 46167

**Bohlen**  
**Surveying & Associates**

31432 Collage Avenue  
 Northfield, MN 55057  
 Phone: (507) 645-7788  
 tombohl@bohlersurveying.com

1682 Cliff Road E.  
 Burnsville, MN 55337  
 Phone: (952) 895-9212  
 Fax: (952) 895-9239





sure about the legal part of it. Wensman stated that he will find out if it was part of the City conditions or if it is a private agreement. Williams is asking about the timeline for making a decision. Wensman stated that they are up against the 60 day timeline. The City however has the ability to ask for another 60 days. Williams would like more information about the drainage issue. Dunn said it is always hard to retrofit. She believes a large portion of this site is in the FEMA flood plain. She thinks it is imperative that the city be sensitive to water issues and get to the root of the problem and fix it up front rather than trying to retrofit it. Dunn would like to postpone this item. Williams would like to postpone until the stormwater drainage system has been constructed properly.

M/S/P: Williams/Dunn, move to postpone consideration of the Wildflower 2<sup>nd</sup> addition Final Plat and PUD plans until the Planning Commission receives a report from the City Engineer that the stormwater drainage system on the Village Preserve Property and the Wildflower at Lake Elmo Property has been constructed properly as these 2 properties were set up as part of the same stormwater drainage system, **Vote: 6-0, motion carried unanimously.**

Dunn is wondering if this issue can be expedited and the Planning Commission could possibly hold an additional meeting to resolve this issue.

Wensman stated that by the next regularly scheduled meeting there should be some sort of resolution. Kreimer asked if a condition could be put on that no construction would commence until these issues are resolved. Williams said he would like more control than that. Once they recommend approval, they are out of the loop.

#### **Public Hearing – Conditional Use Permit Amendment – Rockpoint Church Parking Lot**

Wensman started his presentation regarding the Conditional Use Permit for Rockpoint Church parking lot expansion. They are proposing 124 spaces with a future additional 116 spaces. This property is a PF zone on 19.67 acres. There was a CUP for an expansion in 2011 that expired. This expansion is much larger. This meets the provisions for places of worship. One condition staff is suggesting is that there be no parking in the second phase until it is paved. Wensman stated that they would need a certificate of zoning compliance when the second phase is built, so they can make sure it is built to standards. They will need to meet the lighting, landscaping and tree preservation requirements. They meet the impervious surface requirements and a VBWD permit will be required. There are also some engineering and fire safety requirements. Staff feels they meet the 12 findings for approval and is recommending 15 conditions of approval.

Dodson asked about the drainfield and pumphouse and where they were located. They are out in an outlot. Williams is asking about the landscape plans and why the City



contract landscape architect is not required to review them. Williams would like the condition to say approved by the City.

Bill Bartolic, Rockpoint Church, they have a parking problem because their membership is growing. They want to phase the parking lot as they can't afford to do the whole thing at once. They are parking in the street, which won't be desirable once there are homes in Hidden Meadows 2<sup>nd</sup>. Kerimer asked if it was intentional that there is no curbing shown on the top. Bartolic said that was an oversight. They don't intend to use any of the phase 2 parking lot. They will make some sort of a barrier there. Bartolic is wondering if they can take responsibility for watering the trees without the irrigation system. The trees along Kelvin are not irrigated and they are flourishing. Wensman clarified that irrigation is not required, but if they choose to put it in, an agreement would be required.

Public Hearing opened at 9:39 pm

There were no other written or electronic comments received

Public Hearing closed at 9:39 pm

M/S/P: Williams/Dodson, move that all landscape plans be approved by the City prior to any building permits being issued, ***Vote:6 -0, motion carried unanimously.***

M/S/P: Williams/Lundquist, move to recommend approval of the request for a conditional use permit amendment to allow a parking lot expansion for the property located at 5825 Kelvin Avenue N, based on the findings of fact and the conditions as amended in the staff report, ***Vote:6 -0, motion carried unanimously.***

#### **City Council Updates – October 4, 2016 Meeting**

- i) OP Ordinance – Passed
- ii) Horning Lot Size Variance – Passed
- iii) Fence Ordinance Amendment – Solid Wall Fences – Passed
- iv) Common Ground IUP – Passed
- v) Wasatch Storage Partners CUP - Passed

#### **Staff Updates**

1. Upcoming Meetings
  - a. October 24, 2016
  - b. November 14, 2016

#### ***Commission Concerns***

Meeting adjourned at : pm