

CITY OF APPLE VALLEY
PLANNING COMMISSION MINUTES
DECEMBER 17, 2014

1. CALL TO ORDER

The City of Apple Valley Planning Commission meeting was called to order by Chair Melander at 7:00 p.m.

Members Present: Tom Melander, Ken Alwin, Tim Burke, Keith Diekmann, Paul Scanlan and David Schindler.

Members Absent: Brian Wasserman.

Staff Present: City Attorney Sharon Hills, Community Development Director Bruce Nordquist, Planner Margaret Dykes, Assistant City Engineer David Bennett, and Department Assistant Joan Murphy.

2. APPROVAL OF AGENDA

Chair Melander asked if there were any changes to the agenda. Hearing none he called for a motion.

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, approving the agenda. Ayes - 5 - Nays - 0.

3. APPROVAL OF MINUTES DECEMBER 3, 2014.

Chair Melander asked if there were any changes to the minutes. Hearing none he called for a motion.

MOTION: Commissioner Burke moved, seconded by Commissioner Scanlan, approving the minutes of the meeting of December 3, 2014. Ayes - 3 - Nays - 0. Abstain - 2 (Diekmann and Schindler)

4. CONSENT ITEMS

--NONE--

5. PUBLIC HEARINGS

A. River Valley Church Expansion – Public hearing to consider amendment to an existing Conditional Use Permit for a church in a “BP” (Business Park) zone; variance to allow an increase in building height from 24’ to 32’; site plan/building permit authorization for a 5,100 sq. ft. building addition and removal of 20 parking spaces. **(PC14-41-CV)**

LOCATION: 14898 Energy Way

PETITIONER: River Valley Church and Vanman Architects

Chair Melander opened the public hearing at 7:01 p.m.

Commissioner Alwin arrived at 7:02.

Planner Margaret Dykes reviewed the applicant's request for a Conditional Use Permit to expand the total worship area in River Valley Church from 19,400 sq. ft. to 24,500 sq. ft. with a 5,100 sq. ft. expansion to the main auditorium. The proposed expansion of the worship area would be done only in the main auditorium, which is to be increased to approximately 13,000 sq. ft., with 1,200 seats. An additional 1,590 sq. ft. of the addition would be used for storage.

The property is zoned "BP", which allows for churches as a conditional use. The City approved a CUP for the church in 2000; it has expanded twice since then in 2007 and 2009. Upon each expansion the City had approved new CUPs. The church now occupies the entire building. One of the conditions of the CUP that was approved in 2009 referenced the floor plan. Because the applicant is changing its floor plan, it is necessary to amend their existing CUP to reflect the revision.

The applicant is requesting a variance to increase the maximum height of the building from 24' to 32'. Only the new addition, which is located in the central part of the building, would be 32' in height; the rest of the building would still be no taller than 24'. The Code states buildings in the "BP" zoning district shall not exceed 24' in height when they are located within 250' of residential structures.

The River Valley Church property line is 169' from the common property line of the Valley Way Village townhomes east of the site. The church building is about 350' from the closest townhome, and the new addition would be 560' from the closest townhome. It is staff's opinion that the variance is justified due to the distance of the addition from residents. The increase in height of 8 would have a limited impact on the adjacent residential uses.

The site plan shows the construction of a 5,094 sq. ft. addition to the church. The plan also shows a new patio and landscaped area on the north side of the building replacing existing loading docks. Sufficient landscaping must be installed to meet City requirements, which states landscaping must equal 1.5% of the cost of building materials based on Means construction data. The patio would lead to a new enhanced north entrance allowing church members to enter from the north and south.

She reviewed the current parking spaces on the site and what would be required with the church expansion. The church has executed a cross-parking agreement with Questar, the property owner of the lots north of the site.

The plans show the addition would be clad in black fiber cement panels on the north side of the building; white fiber cement panels would be used on the main entrance on the south side, and the new entrance on the north side. The Code requires building materials consist of "100% non-combustible, non-degradable and maintenance-free construction materials." It is Planning Staff's opinion that the material complies with the zoning code. The Building Official had reviewed the

material specifications and stated that the panels would meet the parameters of the zoning code and comply with the building code. Staff had no concerns with the use of the panels.

She stated River Valley Church had requested that the proposal move forward if the City has no major issues, subject to any conditions deemed necessary. The church would like to begin construction by March 30, 2015.

Commissioner Alwin asked for confirmation that the distance to the townhomes are across Pilot Knob Road.

Ms. Dykes answered yes.

Commissioner Alwin questioned the parking at the Questar facility and River Valley Church and assumed they have staggered parking.

Ms. Dykes answered yes. The peak demand for the church and peak demand for Questar are at different times. There is an executed parking agreement filed with Dakota County.

Commissioner Schindler expressed concern for the north elevation and that he was not comfortable with the rendering and would like to see something more compelling.

Ms. Dykes commented that would be a question for the applicant.

Chair Melander suggested that more visual interest could be added.

Commissioner Scanlan questioned if the request for the variance could affect the surrounding facilities or other applications if this is approved with the additional height.

Ms. Dykes answered that as with any variance it adds a precedent. Staff is comfortable with the distance from the townhomes.

Commissioner Burke inquired if the black wall to the north would be replacing the loading docks.

Ms. Dykes answered yes.

Commissioner Alwin asked for an aerial map and commented that the north side of the building where the docks currently are would not really be seen from the street.

Ms. Dykes stated that traveling south on Pilot Knob Road a driver may see the back of the building.

Commissioner Diekmann inquired where the cellular tower was located and what the height of the tower was.

Ms. Dykes pointed out the location of the tower and answered that the tower was about 80 feet but she would have to confirm that.

Commissioner Diekmann asked for an explanation of the design.

Angie Knodel, Vanman Architects, provided additional information and color options for the materials.

Commissioner Schindler commented it helps to see the additional material colors.

Commissioner Diekman stated he agrees with Commissioner Schindler and is not here to change anyone's design intent but he is not interested in a multi-color panel building. He would prefer something of silver bending and softened colors.

Chair Melander closed the public hearing at 7:20 p.m.

Commissioner Schindler commented he was comfortable with the applicant working with City staff.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Schindler recommending approval of an amendment to the existing Conditional Use Permit to allow for an approximately 5,100 sq. ft. addition for River Valley Church located at 14898 Energy Way (Lot 1, Block 1, Valley Business Park 2nd Addition), as shown on the plans received on November 19, 2014, subject to all applicable City codes and standards. Ayes - 6 - Nays - 0.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan recommending approval of a variance increasing the height of the proposed addition from 24' to 32' for an approximately 5,100 sq. ft. addition at River Valley Church located at 14898 Energy Way (Lot 1, Block 1, Valley Business Park 2nd Addition), as shown on the plans received on November 19, 2014, due to the distance of the addition from adjacent townhomes being greater than 250', subject to all applicable City codes and standards. Ayes - 6 - Nays - 0.

MOTION: Commissioner Diekmann moved, seconded by Commissioner Scanlan recommending approval of site plan/building permit authorization for an approximately 5,100 sq. ft. addition for River Valley Church located at 14898 Energy Way (Lot 1, Block 1, Valley Business Park 2nd Addition), as shown on the plans received on November 19, 2014, subject to all applicable City codes and standards and the installation of sufficient landscape materials to meet City requirements, and demonstrate trim, texture or color additions that address the plain box like north elevation. Ayes - 6 - Nays - 0.

6. LAND USE/ACTION ITEMS

--NONE--

7. OTHER BUSINESS

