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OFFICE OF THE COUNTY RECORDER
OLMSTED COUNTY, MN
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CASCADE TOWNSHIP CONDITIONAL USE RESOLUTION NUMBER CUP-23-02

**"COVER SHEET ADDED BY OLMSTED COUNTY PROPERTY RECORDS OFFICE FOR RECORDING PURPOSES.
THIS PAGE IS NOW THE NEW FIRST PAGE OF YOUR DOCUMENT."**

CASCADE TOWNSHIP
CONDITIONAL USE RESOLUTION
NUMBER CUP-23-02

WHEREAS, an application for a Conditional Use Permit to allow for the operation of Eagle Brook Church, a Religious Organization, on a parcel of property legally described as:

The Northeast Quarter of the Northwest Quarter of Section 5, Township 107 North, Range 14 West, Rochester, Olmsted County, Minnesota.

WHEREAS, the matter has been reviewed by the Zoning Administrator and a report submitted to the Planning Commission concerning the Conditional Use Permit request.

WHEREAS, a public hearing on the proposed conditional use was duly noticed and held by the Cascade Planning Commission at the Cascade Township Hall, 2025 75th Street NE, Rochester, MN on November 21, 2023.

WHEREAS, the public hearing was continued to December 19, 2023, to allow the applicant additional time to gather information regarding access and right of way concerns.

WHEREAS, the applicant requested this item be removed from the agenda until further consideration is received from Olmsted County Public Works regarding access from 75th St NW.

WHEREAS, the applicant has received additional information and a new public hearing on the proposed conditional use was duly noticed and held by the Cascade Planning Commission at the Cascade Township Hall, 2025 75th Street NE, Rochester, MN on April 16, 2024.

NOW, THEREFORE, be it resolved by the Cascade Township Planning Commission as follows:

Conditions:

1. Before a building permit may be issued the following plans shall be submitted and permits issued by the appropriate authority:
 - a. Grading Plan, Stormwater Pollution Prevention Plan, Stormwater Management Plan (Reviewed by Township Engineer)
 - b. Well permit (Olmsted County Environmental Department)
 - c. Septic permit (Township Septic Official, G-Cubed Engineering)
 - d. Access permit (Olmsted County Public Works Department)
 - e. Floodplain Development Permit (Olmsted County Planning Department)
2. All building permits must meet General District Regulations.
3. The minimum required parking spaces shall be provided at the occupancy rate of one space per for every five seats. More parking spaces are permitted if accommodated by the stormwater management plan.

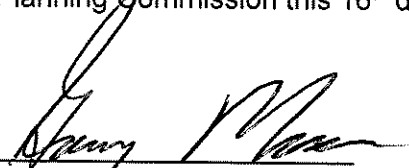
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4. Conditional Use Permit will be issued for the 1,000-seat facility, parking areas and associated infrastructure only. If additional structures or expansion of uses occur, the applicant must receive additional permitting.
5. The parking area shall be constructed of an impervious surface and shall be kept dust-free.
6. A certificate of occupancy is required prior to any public or private use of the facilities.
7. One sign advertising the allowed use no larger than four feet by eight feet is allowed.
8. Outdoor lighting shall be directed down and away from the public road and neighboring property owners.
9. No external loudspeakers are allowed.
10. Hours of operation are limited to the following:
 - a. Weekdays: 8am – 9pm
 - b. Weekends: 6am – 9pm
11. Review of Conditional Use Permit: This Conditional Use includes, at the discretion of the Township, a periodic review to determine compliance with the conditions of the permit and whether changed circumstances or conditions require changes to the permit. The Township may also elect, upon adoption of an appropriate resolution following verification of a complaint that a condition has been violated, to conduct a review of the permit. Said review shall only take place following written notice to the owner of the subject property and a duly noticed public hearing. Following such a hearing, the permit may be amended based on changed conditions and experiences with the site.
12. Violation of the terms of the conditional use permit is subject to the provisions of the CUP and the Township CUP ordinances. Applicants shall have the rights and remedies provided in the CUP. Violations of the CUP may result in revocation of the CUP and the Township shall have all remedies available to it pursuant to its ordinances or otherwise available to it in law or equity. Notwithstanding the foregoing, in the event that the applicant fails to perform any terms and conditions of the CUP, the Township shall provide the applicant, in writing, a notice of default and the parties shall hold an initial meeting within ten (10) days following notice of such default for purposes of attempting to resolve the default on an amicable basis unless the Township determines that threat to health, safety or property require a shorter notice period. If the parties cannot resolve the matter, the Township may issue a notice of violation to the applicant setting forth, in detail, the action(s) that must be taken to remedy the alleged default and a reasonable time period for curing the default.
13. Reimbursement of township costs: If a permit is revoked, the permittee shall also reimburse the township for the township's reasonable costs, including restoration costs and costs of collection and reasonable attorney's fees incurred in connection with such revocation.

Conclusion:

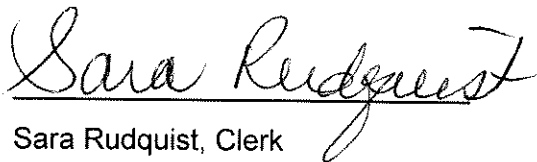
A motion was made by DAVID LUCAS and seconded by CHP APPELGATH to adopt. The motion carried with 5 yes votes, 0 no votes and 0 abstentions. The Cascade Township Planning Commission hereby grants a Conditional Use Permit per Section 4.02 of the Cascade Township Zoning Ordinance to allow for the operation of Eagle Brook Church.

Passed and adopted by the Cascade Township Planning Commission this 16th day of April 2024.



Gary Moore, Commission Chair

Attest:



Sara Rudquist, Clerk



DISTRIBUTION:

County Recorder
Township Clerk
County Planning
Zoning Administrator
Applicant

Drafted and Return to:

TCPA
4111 11th Ave SW, Room 10
Rochester, MN 55902