

To: HONORABLE MAYOR AND CITY COUNCIL.

FROM: Dave Maroney, Director of Economic Development and Planning.

SUBJECT: Mulvihill Rezoning and Preliminary Plat.

DATE: March 11, 2014.

BACKGROUND.

Glenn Mulvihill has presented plans for the 51.5 acre property that he owns south of Highway 19 and west of Hardwood Way (the former Tanners Grove development). The Planning Commission has considered his request to develop up to 121 single family residential lots on the land and recommends conditional approval. The proposed preliminary plat and development details accompany this Memorandum.

REQUESTED COUNCIL ACTION.

As recommended by the Planning Commission, the City Council is asked to approve the Resolution adopting findings to support a rezoning of the entire parcel to a R-2 District and the preliminary plat for Phase 1. Thereafter, the City Council is asked to complete the first reading of Ordinance No. 335.

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

RESOLUTION NUMBER 2065

APPROVING REZONING AND PRELIMINARY PLAT

WHEREAS, the Planning Commission conducted a public hearing on March 10, 2014 to accept testimony relating to a request by Glenn Mulvihill (“Mulvihill”) to rezone property that he owns located south of Highway #19 and west of Hardwood Way from a Planned Unit Development District (“PUD District”) to a R-2, Single-Family Residential District (“R-2 District”) and to consider a Preliminary Plat (“Plat”) proposing a 121 lot subdivision. Based upon public testimony along with project information presented and considered, the Planning Commission hereby finds that:

- A. The property that is proposed to be rezoned from a PUD District to a R-2 District is a single parcel of land described as PID 52.520.0040 (the “Subject Property”); and
- B. The Subject Property is estimated to be 51.5 acres in size; and
- C. The Subject Property is predominantly agricultural land; and
- D. Mulvihill proposes to develop the Subject Property for single-family residential land use; and
- E. In considering zoning ordinance amendments, Section 152.057 of the Cannon Falls Zoning Ordinance directs consideration of the possible effects of rezoning. Five specific effects to be considered are listed. The five effects and the Planning Commission’s findings relating to them are:

- (1) **The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan.**

The Comprehensive Plan (November 6, 2003) guides development in this area for “Low Density Residential” land use and identifies the Subject Property as a “priority area for housing growth”. The Future Street Plan has identified plans for a major road to be constructed along the east boundary of the Subject Property connecting Highway 19 to Highway 52.

- (2) **The proposed use is or will be compatible with present and future land uses of the area.**

The Subject Property is located adjacent to Highway 19 directly south of the Cannon Falls School District facilities. Neighboring land use in the area includes agricultural, single family residential and public lands including a cemetery and two Churches.

Mulvihill is proposing a compatible single family residential use.

- (3) **The proposed use conforms or will be compatible with all performance standards in this chapter.**

The Subject Property will be developed to comply with applicable standards in accordance with the Zoning and Subdivision Codes.

- (4) **The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.**

Certain infrastructure improvements were constructed in 2013 to provide service to the Subject Property (Phase1) and the City Engineer has determined that the City of Cannon Falls has the capacity to serve Phase 2.

- (5) **Traffic generation by the proposed use is within capabilities of streets serving the property.**

Traffic generated by the proposed development is within the capabilities of existing streets (Highway 19, County Boulevard 24/Hardwood Way and 72nd Avenue Way) and/or by new streets that will be constructed to serve the Subject Property; and

WHEREAS, the Planning Commission has reviewed the Preliminary Plat identified as the "Mulvihill Property" and finds that the plat is not considered to be a Premature Subdivision as defined by Chapter 151.028 and that the proposed project and Plat for Phase 1 can satisfy applicable performance standards of Chapter 151 and other City land development requirements; and

WHEREAS, the Cannon Falls Planning Commission recommends to the Cannon Falls City Council that based upon the findings cited herein that the Subject Property be rezoned to a R-2, Single-Family Residential District and that the Preliminary Plat for Phase 1 be conditionally approved.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, MINNESOTA that based upon the findings of the Planning Commission which are hereby adopted by the City Council that: (a) the Subject Property be rezoned to a R-2, Single-Family Residential District; and (b) the Preliminary Plat for Phase 1 be approved subject to compliance with applicable standards of Chapter 151 (Subdivisions) and the recommendations of the City Engineer (March 5, 2014).

Adopted this 18th day of March, 2014.

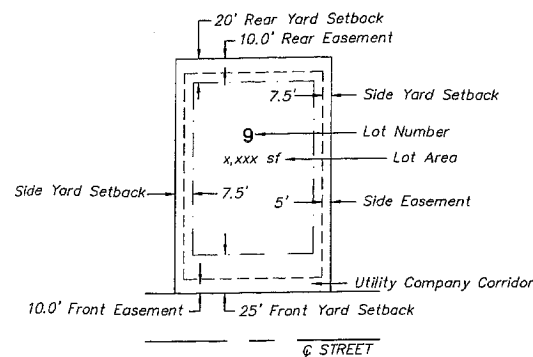
BY: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Ronald S. Johnson, City Administrator

Development Data

Total Site Area	51.485± AC.	Setbacks (minimums)	
Existing Zoning	Urban Fringe District (A-3)	Front Yard	25 ft.
Proposed Zoning	R-2	Side Yard	7.5 ft./7.5 ft. (15 ft total)
Total Homes Proposed	121	Side Yard Corners	20 ft.
Single Family - 65 ft. lots	64	Rear Yard	20 ft.
Single Family - 75 ft. lots	57	State Hwy No. 19	50 ft.
Overall Density	2.35 du/acre		
Proposed Development Standards			
65 ft. Lots			
Lot Width	65 ft.		
Lot Depth	130 ft.		
Minimum Lot Area	8,507 sq. ft.		
Maximum Lot Area	20,579 sq. ft.		
Average Lot Area	10,381 sq. ft.		
75 ft. Lots			
Lot Width	75 ft.		
Lot Depth	140 ft.		
Minimum Lot Area	10,500 sq. ft.		
Maximum Lot Area	25,552 sq. ft.		
Average Lot Area	14,007 sq. ft.		

Typical Single Family Lot:



Outlot Table

Outlot A	Open Space	16,450 sf.
Outlot B	Ponding	85,262 sf
Outlot C	City Park	53,782 sf

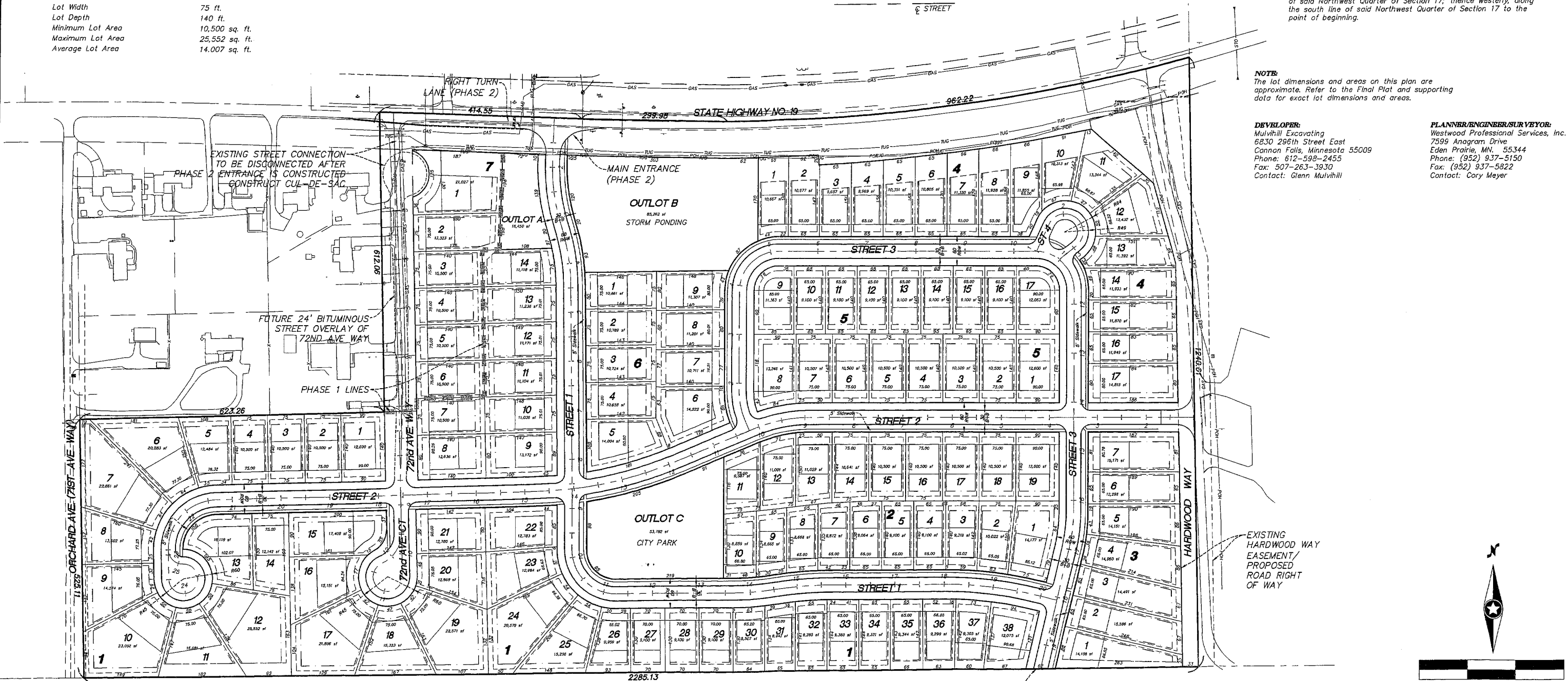
Legal Description per ALTA by Others

That part of the Northwest Quarter of Section 17, Township 112 north, Range 17 west, Goodhue County, Minnesota, described as follows: Beginning at the southeast corner of the West Half of the West Half of the Southwest Quarter of the Northwest Quarter of said Section 17; thence northerly, along the east line of said West Half of the West Half of the Southwest Quarter of the Northwest Quarter of Section 17, to the intersection with a line 965.00 feet southerly of, measured at a right angle to, and parallel with the south line of Minnesota Street, as now located and established; thence easterly, along said parallel line, a distance of 620 feet, more or less, to the intersection with a line 950 feet easterly of, measured at a right angle to, and parallel with the west line of said Northwest Quarter of Section 17; thence northerly along said parallel line, a distance of 611 feet, more or less, to the centerline of State Trunk Highway No. 19, as now located and established; thence easterly along said centerline to the east line of said Northwest Quarter of Section 17; thence southerly along said east line to the southeast corner of said Northwest Quarter of Section 17; thence westerly, along the south line of said Northwest Quarter of Section 17 to the point of beginning.

NOTE:
 The lot dimensions and areas on this plan are approximate. Refer to the Final Plat and supporting data for exact lot dimensions and areas.

DEVELOPER:
 Mulvihill Excavating
 6830 296th Street East
 Cannon Falls, Minnesota 55009
 Phone: 612-598-2455
 Fax: 507-263-3930
 Contact: Glenn Mulvihill

PLANNER/ENGINEER/SURVEYOR:
 Westwood Professional Services, Inc.
 7599 Anagram Drive
 Eden Prairie, MN, 55344
 Phone: (952) 937-5150
 Fax: (952) 937-5822
 Contact: Cory Meyer



NOT FOR CONSTRUCTION

Latest Revision Date:

Date: 02/13/14 Sheet: 3 OF 8

Mulvihill Property
 Cannon Falls, Minnesota

Preliminary Plat

Revisions:

Designed: PFD
 Checked: PFD
 Drawn: HW
 Record Drawing by/date:

Prepared for:

Mulvihill Excavating
 6830 296th Street East
 Cannon Falls, Minnesota 55009