

To: HONORABLE MAYOR AND CITY COUNCIL.

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

SUBJECT: 200 Waters, LLC Rezoning.

DATE: March 11, 2014.

BACKGROUND.

Steve Auger, Rob Lorentz and Mike Lorentz (200 Waters, LLC) have signed a Purchase Agreement to acquire 200 – 210 – 220 Water Street West (former Creamery) subject in part to rezoning the property to allow for limited industrial land use. Historically the property has been used for various commercial and industrial uses.

The Planning Commission has conducted a public hearing relating to the request and recommends rezoning the property subject to receipt and evaluation of a property survey and receiving further input from the Owner/Tenants of Trailside and/or Whispering Woods Townhomes. The Planning Commission recommends that the second reading of the Ordinance to rezone not be scheduled until the property survey is approved by Staff and a response from the Owner/Tenants is received.

REQUESTED COUNCIL ACTION.

As recommended by the Planning Commission, the City Council is asked to approve the Resolution adopting findings to support rezoning of the parcels to an I-1 District and thereafter the City Council is asked to complete the first reading of Ordinance No. 336.

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

RESOLUTION NUMBER 2066

APPROVING REZONING

WHEREAS, 200 Waters, LLC has made application requesting the rezoning of property from a R-3, Medium Density Residential District (“R-3 District”) to an I-1, Limited Industrial District (“I-1 District”); and

WHEREAS, the Planning Commission conducted a public hearing on March 10, 2014 to accept testimony relating to the proposed zoning amendment; and

WHEREAS, the Planning Commission finds that: (a) the existing building located on the property has historically been used for commercial and industrial land use; (b) 200 Waters, LLC accepts responsibility for managing and maintaining the property in a way that is compatible with neighboring residential uses; (c) the purpose of the I-1 District is to provide for less intensive industrial land uses which are less likely to impose objectionable influences such as noise, dust, heat, smoke and the like and the uses proposed by 200 Waters, LLC are permitted by Section 152.666 (I-1 District); (d) existing infrastructure is available to service the proposed development; and (e) the building was used for industrial purposes in 2013 but the use may have been discontinued more than one year ago thereby terminating the right to continue operating as a legal nonconforming use; and

WHEREAS, the Cannon Falls Planning Commission recommends to the Cannon Falls City Council that three (3) parcels identified as PID 52.100.0040, PID 52.100.0050 and PID 52.100.0060 be rezoned from a R-3 District to an I-1 District.

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 the property be rezoned from a R-3 District to an I-1 District.

Adopted this 1st day of April, 2014.

BY: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Ronald S. Johnson, City Administrator