

To: HONORABLE MAYOR AND CITY COUNCIL.

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

SUBJECT: Conditional Use Permit (CUP) for Duden Property.

DATE: November 10, 2015.

BACKGROUND.

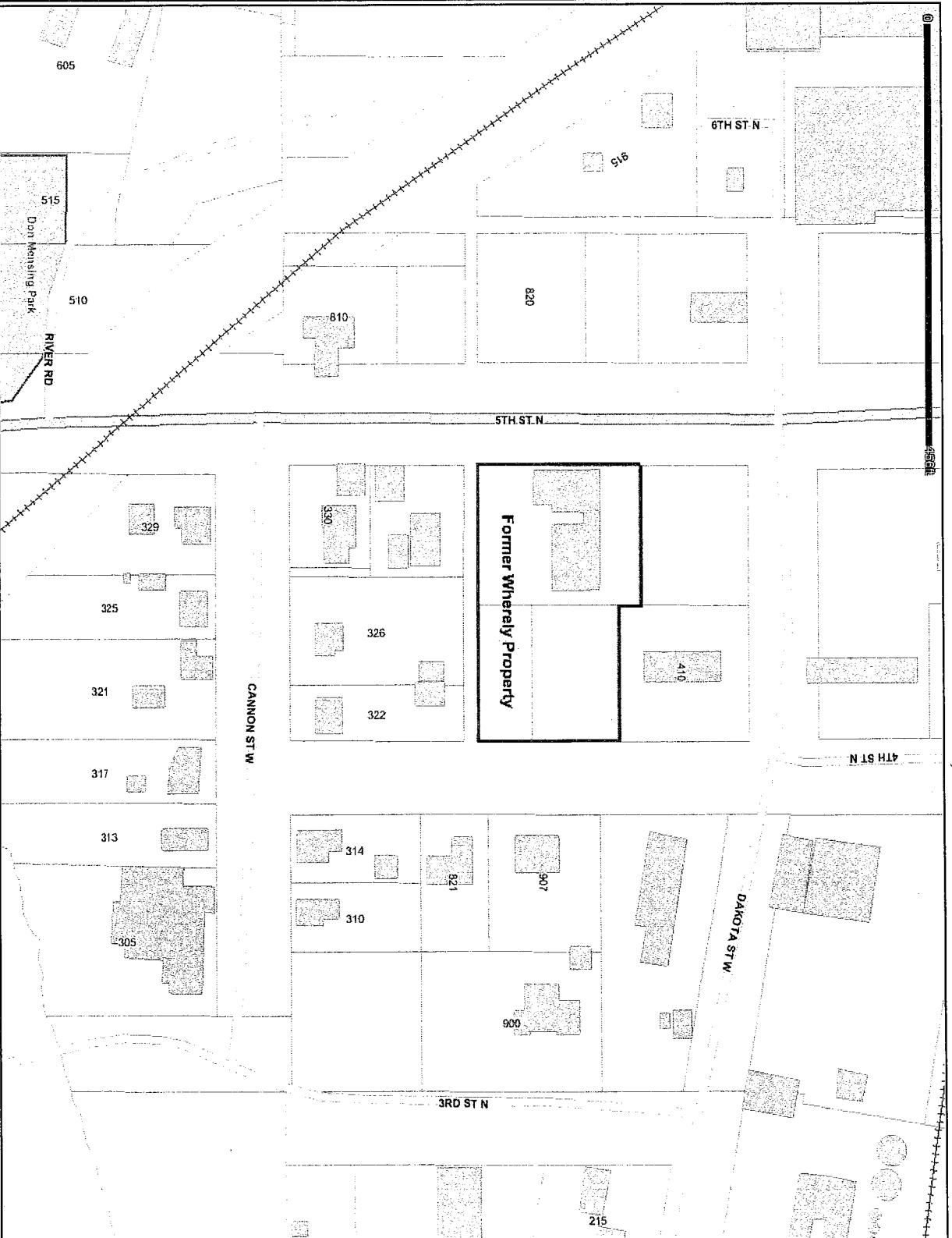
The accompanying *Application for CUP* parcel map shows the existing site and buildings that were recently purchased by Justan and Tara Duden – labeled as the *Former Wherely Property*. The new owners are seeking approval to allow “recreational (*Dynamic Evolution*) and outside storage” land use on property that is currently zoned *R-B, Residential Business District* – a CUP is required to allow recreational uses (152.608 (J) and in these circumstances, outside storage has also been interpreted to be allowed subject to issuance of a CUP. The Planning Commission conducted a public hearing on this matter and recommends conditional approval of the Application.

REQUESTED COUNCIL ACTION.

As recommended by the Planning Commission, the City Council is asked to approve the CUP in accordance with the accompanying Resolution.

Application for CUP

November 9, 2015



- ◆ Cities
- County Boundaries
- ▬ Railroad
- ✈ Airports
- ✈ Cannon Falls Trails
- ✈ Proposed Trail
- ✈ City Trails
- ▬ Structures
- ▬ Roads
- ▬ US Hwy
- ▬ State Hwy
- ▬ County
- ▬ Lakes & Rivers
- ▬ Parcels
- ▬ Unincorporated Community
- ▬ City Parks
- ▬ Municipalities

This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. Created From Cannon Falls Online Mapping Site. Sources: Goodhue County, MN; City of Cannon Falls, MN. Map Created: 10/19/2015

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

RESOLUTION NUMBER 2164

CONDITIONAL USE PERMIT FOR DUDEN PROPERTY

WHEREAS, Justan and Tara Duden have made application for a Conditional Use Permit ("CUP") to allow recreational land use and outside storage at 823 Fifth Street North (PID's 52.480.0070, 52.480.0750 and 52.480.0760) as regulated by Section 152.608 (J) of the Zoning Ordinance; and

WHEREAS, the Planning Commission conducted a public hearing on November 9, 2015 to accept testimony relating to the application; and

WHEREAS, the Planning Commission finds that: (a) the proposed land use is not expected to adversely impact the general welfare, public health or safety of the neighborhood; (b) the proposed land use is in harmony with the general purpose and intent of the Zoning Code, is consistent with the Comprehensive Plan and will not alter the essential character of the locality; (c) the recreational land use and outside storage will be built to conform with applicable performance standards and the existing outside storage area will not be expanded without prior approval of the City Council; (d) water and sewer services are available on or near the property and will be extended to accommodate the proposed project; and (e) a fifty-foot (50') wide perpetual Driveway Easement has been dedicated to provide access to the property from Fifth Street; and

WHEREAS, based upon the aforementioned findings the Planning Commission recommends to the City Council that the application for the CUP be conditionally approved.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, MINNESOTA that based upon these findings that the Conditional Use Permit is approved subject to compliance with all applicable requirements of the Building Code and Zoning Ordinance standards including those pertaining to landscaping, parking, signage, business operations and outside storage.

Adopted this 17th day of November, 2015.

BY: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Ronald S. Johnson, City Administrator