

TO: Honorable Mayor and City Council

FROM: City Administrator Ron Johnson

SUBJECT: Conditional Use Permit (CUP) for Dudley's Pizza

DATE: November 10, 2016

BACKGROUND

Dudley Flodeen, Dudley's Pizza, has made application for a Conditional Use Permit ("CUP") to allow a residential use in the B-1 (Central Business District) at 320 Mill St West as regulated by Section 152.628 (C) of the Zoning Ordinance. He is intending to construct an apartment addition to the back of his building. As per 152.628 CONDITIONAL USES- Subd (C) the following is a conditional use in the B-1 District: "(C) Residential and nonresidential uses within one structure, provided that: (1) Residential and nonresidential uses shall not be contained on the same floor and no residential use shall be located on the first floor; and (2) Residential and nonresidential uses shall have separate entrances and exits. The residential use will have its own entrance from the back, and it will be located above the garage in the back but on the same level as the existing commercial use.

The Planning Commission is conducting a public hearing on this request on Monday, November 14. A resolution of approval is attached in the event the Planning Commission provides a recommendation to approve.

REQUESTED COUNCIL ACTION

If recommendation of approval is received by the Planning Commission, approve a motion adopting the Resolution Approving the Conditional Use Permit for Dudley's Pizza to allow a residential use in the B-1 zoning district.

Attachment(s): Resolution; Map/Elevations

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

RESOLUTION NUMBER 2239

CONDITIONAL USE PERMIT FOR DUDLEY'S PIZZA

WHEREAS, Dudley Flodeen has made application for a Conditional Use Permit ("CUP") to allow a residential use in the B-1 (Central Business District) at 320 Mill St West (PID 52.100.1761) as regulated by Section 152.628 (C) of the Zoning Ordinance, and

WHEREAS, the Planning Commission conducted a public hearing on November 14, 2016 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 or neighborhood; (c) the residential unit will be constructed to comply with applicable performance standards and the Building Code; and (d) while the residential use will be located on the same level as the existing commercial use, it also will be located above the garages in the rear of the building and the multi-use building will have separate means of access, and

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

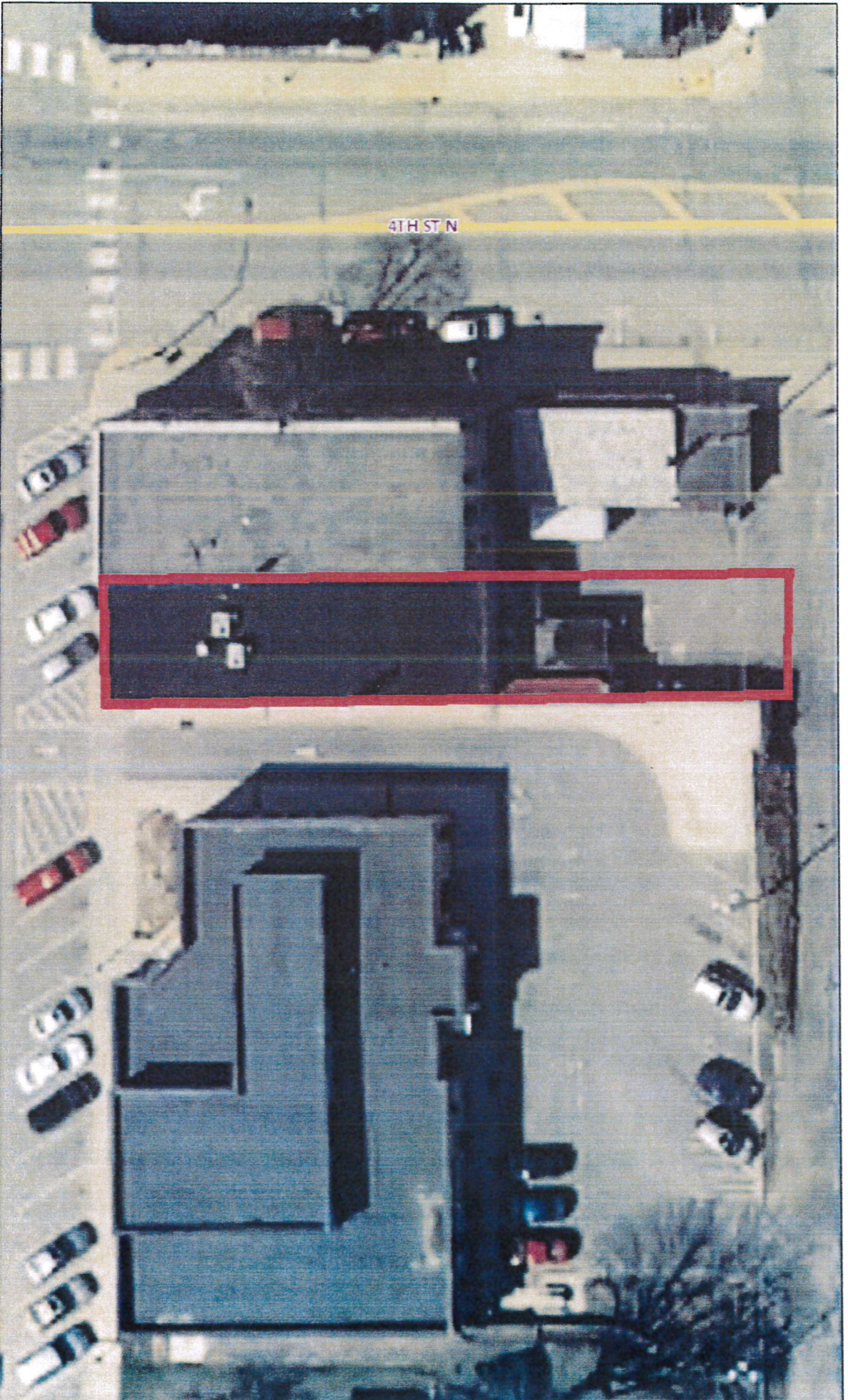
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, MINNESOTA that based upon these findings the Conditional Use Permit is approved.

Adopted this 15th day of November, 2016.

BY: _____
Lyman M. Robinson, Mayor

ATTEST: _____
Ronald S. Johnson, City Administrator

Dudley's Pizza



September 23, 2016

Roads 9,600

Township or Other Roads

Roads 300

Township or Other Roads

Roads 300

Township or Other Roads

Major Roads 600

US Highway

State Highway

County Roads 600

County Roads - Gravel

County Roads - Paved

Roads 600

Township or Other Roads

Roads 600

Township or Other Roads

