

To: HONORABLE MAYOR AND CITY COUNCIL.

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

SUBJECT: Dudley Flodeen and Southview Acres Projects.

DATE: December 15, 2016.

BACKGROUND.

Accompanying this Memorandum is information that was presented to the Planning Commission for each of these projects. The Commission recommends approval of both projects, with conditions.

REQUESTED COUNCIL ACTION.

The City Council is asked to approve the Resolution for the CUP /Variance for Dudley Flodeen and the Resolution regarding the Preliminary Plat for the Winter Addition.

TO: Planning Commission.

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

SUBJECT: December 12, 2016 Agenda.

DATE: December 9, 2016.

Item 6. Public Hearings.

(A) Conditional Use Permit (CUP)/Variance – Dudley’s Pizza. Dudley Flodeen has made application for a Conditional Use Permit (“CUP”) to allow a residential use in the B-1, Central Business District (“B-1 District”) at 320 Mill Street West (PID 52.100.1761). Mr. Flodeen is intending to construct an apartment addition to the back (north side) of the building. In the B-1 District, Section 152.628 (C) stipulates that *residential and nonresidential uses within one structure* are allowed by CUP 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 City Attorney advises: (1) a CUP is required to allow the proposed “mixed use” development project in the B-1 District; and (2) a variance is needed to allow Mr. Flodeen’s proposal for residential and nonresidential use within one structure to be contained on the same floor and residential use on the first floor. The residential and nonresidential uses will have separate entrances and exits.

Preliminary plans for this project were provided to the Commissioners at the November 14th meeting and the public hearing for the CUP was recessed to December 12th. The accompanying drawings were provided last month but have been enlarged to provide further clarity – *Rear Elevation, Residence Floor Plan and Building Section*. Published and mailed notices were issued to allow public input and consideration of the variance to applicable standards on December 12th.

Following the public hearing and discussion, Staff recommends consideration of Resolution No. 2016 – 7.

(B) Preliminary Plat - Southview Acres. The following items are provided for your review and our consideration: (1) *Preliminary Plat of Winter Addition*; (2) *Winter Addition (December 2016)* aerial photo; and (3) *Exhibit No. 1* – Public Street (Alexander Court) connection to 63rd Avenue.

The property that comprises the proposed Winter Addition is currently zoned “B-2, Highway Commercial” and municipal utilities have been previously extended to serve development in this area – see the *Drainage and Utility Easement* that bisects the property. Much of the property has been previously platted as “Southview Acres” (1974). The proposed GrandStay Hotel will be constructed on Lot 4, Block 1 (3.41 acre parcel) - this replat is before the Commissioners largely due to the Hotel development project.

The Preliminary Plat design has been significantly impacted by the following conditions: (1) County Road No. 24 and 63rd Avenue right-of-way and road elevations as determined by

MnDOT; (2) Two existing buildings that are currently leased to Midwest-CBK, LLC; (3) The *Drainage and Utility Easement* that bisects the property and existing storm water drainage patterns and flows; (4) Site characteristics and preferences desired by the GrandStay Hotel investors, lender and Franchisor, including the need to provide access from 63rd Avenue; and (5) A relatively modest land area (approximately 14 acres) with existing boundaries that are not ideal for achieving more conventional lot configurations. All of these factors have somewhat limited the design alternatives for the Winter Addition.

In my view, the Winter Addition generally complies with applicable standards of Chapter 151 provided: (1) A grading and drainage plan is submitted for review and approval by the City Engineer. (2) The City Council approves: (a) a waiver of the Public Land Dedication requirement (this has typically been done for commercial-industrial subdivisions and much of the Winter Addition is a replat which is exempt); (b) a cul-de-sac length of approximately 600 feet (Section 151.109 (11) limits cul-de-sac “length” to 500 feet); and (c) ten (10) foot *Drainage and Utility Easements* along the perimeter of only those lots determined by the City Engineer to be necessary. (3) Alexander Court is designed to serve Lot 1, Lot 4 and Lot 5 of Block 1 and access to Alexander Court should be limited to these three (3) properties unless and until otherwise approved by the City Council.

Following the public hearing and discussion, Staff recommends consideration of Resolution No. 2016 – 8.

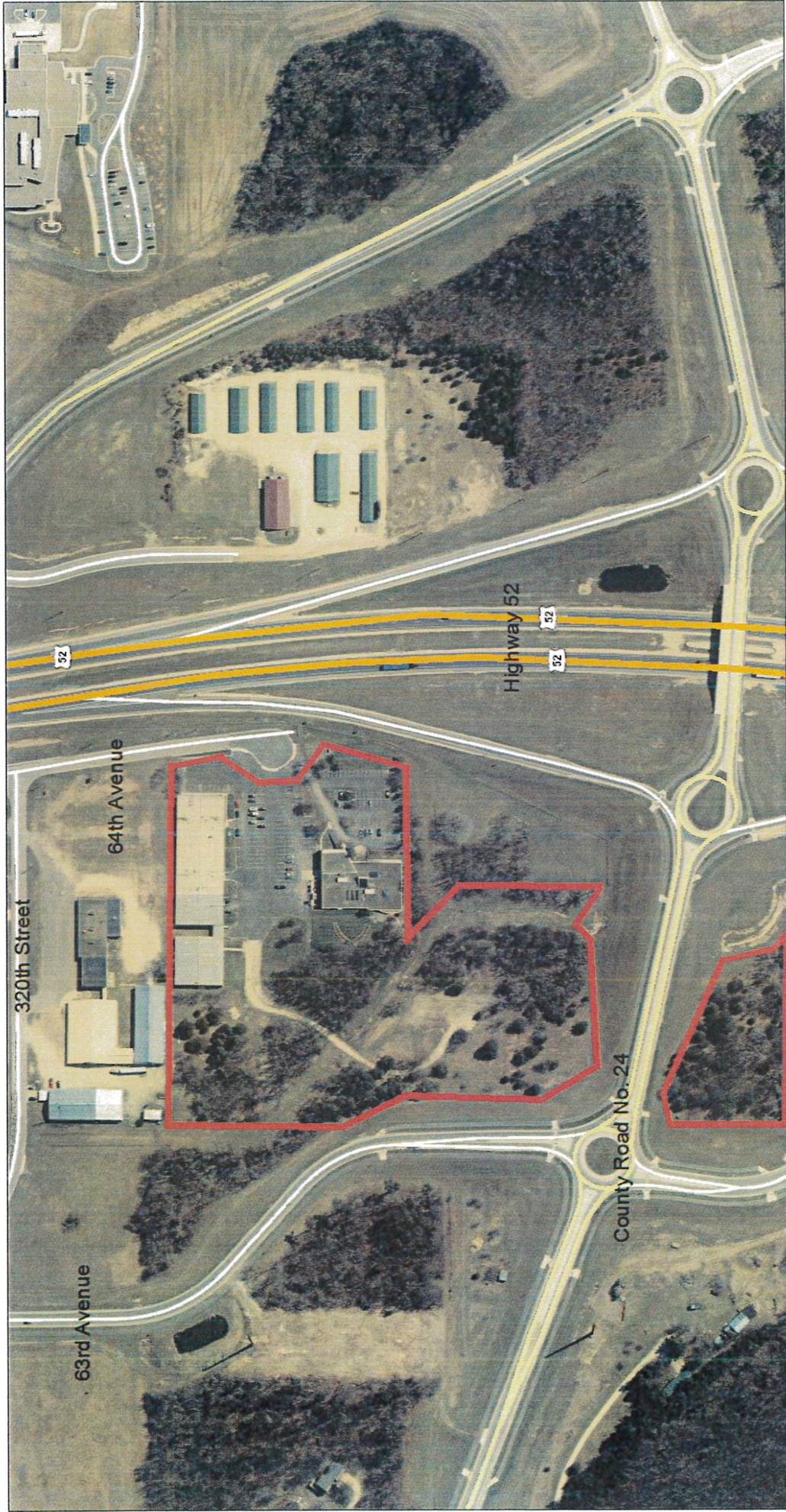
Item 7. Discussion Items.

(A) Resolution No. 2016 – 7. Dudley’s Pizza. Staff recommends review and approval of Resolution No. 2016 – 7.

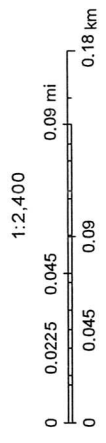
(B) Resolution No. 2016 - 8. Southview Acres. Staff recommends review and approval of Resolution No. 2016 – 8.

Note: The City Council tabled the Econofoods/Family Fare request for a Conditional Use Permit pending further evaluation of traffic impacts – see the enclosed Resolution.

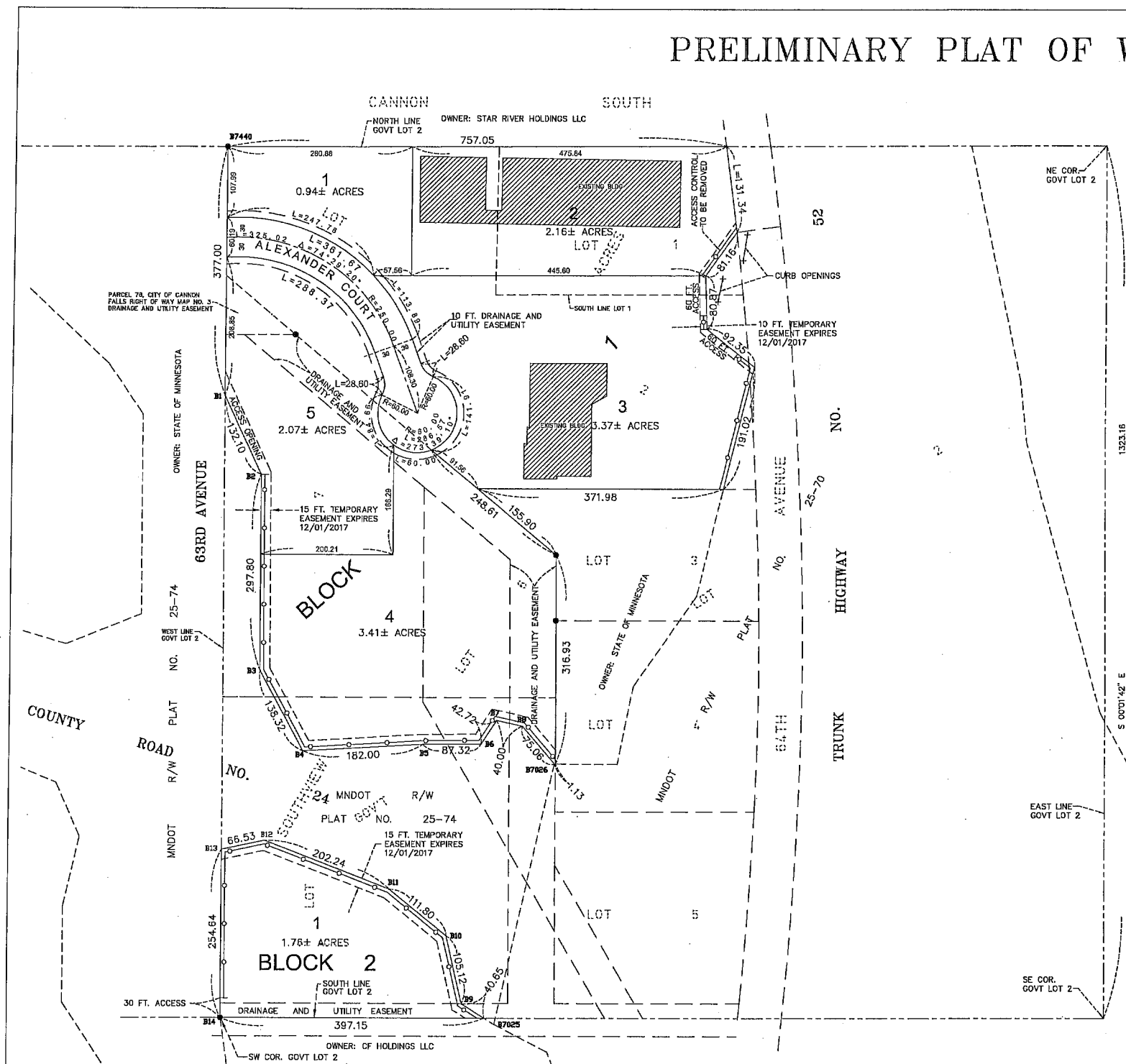
Winter Addition (December 2016)



- December 8, 2016
- Major Roads 2,400
- US Highway
- State Highway
- County Roads 2,400
- County Roads - Gravel
- County Roads - Paved
- Township or Other Roads
- Roads 2,400
- Township or Other Roads
- ESRI Major Roads



PRELIMINARY PLAT OF WINTER ADDITION

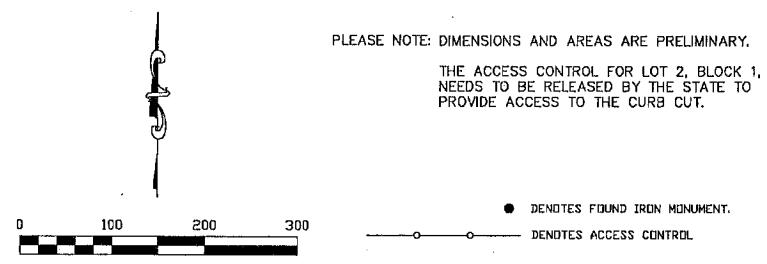
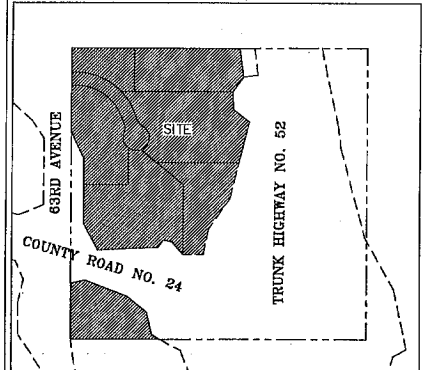


OWNER-DEVELOPER: SOUTHVIEW ACRES REAL ESTATE COMPANY OF CANNON FALLS,
C/O WILLIAM ALTHOFF AND WILLIAM ALTHOFF/MIDWEST OF
CANNON FALLS

ZONING: COMMERCIAL

LEGAL DESCRIPTION: PART OF LOTS 1, 2, 6 AND 7, BLOCK 1, SOUTHVIEW ACRES.

VICINITY MAP (NO SCALE)
GOVT. LOT 2, SECTION 30,
TOWNSHIP 112, RANGE 17,
GOODHUE COUNTY, MN



PLEASE NOTE: DIMENSIONS AND AREAS ARE PRELIMINARY.
THE ACCESS CONTROL FOR LOT 2, BLOCK 1,
NEEDS TO BE RELEASED BY THE STATE TO
PROVIDE ACCESS TO THE CURB CUT.

CERTIFICATE OF SURVEY FOR:
SOUTHVIEW ACRES REAL ESTATE CO.
OF CANNON FALLS

JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
1112 HIGHWAY 55, SUITE 201, HASTINGS, MN 55033
(651) 438-0000

I hereby certify that this survey, plan or report
was prepared by me or under my direct supervision
and that I am a duly Licensed Land Surveyor under
the laws of the State of Minnesota.

Mitchell A. Scofield
Mitchell A. Scofield
Minnesota License No. 48634
Date: 12/1/2016

BK. NA	PG. NA	V.D.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS	16-		S-

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

RESOLUTION NUMBER 2248

RESOLUTION APPROVING PRELIMINARY PLAT

WHEREAS, Southview Acres Real Estate Company of Cannon Falls has made application for approval of a preliminary plat identified as the Winter Addition; and

WHEREAS, the Planning Commission conducted a public hearing on December 12, 2016 to accept testimony relating to the proposed preliminary plat; and

WHEREAS, the Planning Commission finds that: (a) the preliminary plat is not a premature subdivision as described by Chapter 151.028; (b) the Winter Addition is currently served by municipal utilities and is partially developed; (c) the property is currently zoned “B-2, Highway Commercial” and the proposed development plan and preliminary plat are consistent with applicable zoning and subdivision code requirements; and (d) access to the Winter Addition is currently provided from 64th Avenue and plans have been approved by the City of Cannon Falls to construct a public street from 63rd Avenue to also serve the development; and

WHEREAS, the Cannon Falls Planning Commission recommends to the Cannon Falls City Council that the preliminary plat for the Winter Addition be conditionally approved.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that based upon the findings of the Planning Commission which are hereby adopted by the City Council that the preliminary plat for the Winter Addition is hereby approved subject to compliance with applicable requirements of Chapter 151 – Subdivisions.

Adopted by the City Council of Cannon Falls this 20th day of December, 2016.

City of Cannon Falls

Lyman M. Robinson, Mayor

Attest: _____
Ronald S. Johnson, City Administrator