

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: SAMANTHA MEYER, ZONING ASSISTANT
RE: CONDITIONAL USE PERMIT, CANNON RIVER WINERY
DATE: JULY 11, 2018

Background:

Ron Stowell, on behalf of the Cannon River Winery applied for a Conditional Use Permit to expand a Conditional Use in the B-1 Central Business District.

The property is located at 421 Mill Street West.

The City of Cannon Falls Planning Commission held a public hearing on the Conditional Use Permit at its July 9, 2018 meeting and with a unanimous vote recommends denial of the application based upon the findings of fact found in Exhibit A.

REQUESTED COUNCIL ACTION:

The City Council is asked to deny the Conditional Use Permit request by Ron Stowell on behalf of the Cannon River Winery to expand a conditional use in the B-1 Central Business District.

**CITY OF CANNON FALLS
GOODHUE COUNTY MINNESOTA**

RESOLUTION NUMBER 2369

**CONDITIONAL USE PERMIT FOR RON STOWELL ON BEHALF OF CANNON
RIVER WINERY**

WHEREAS, Ron Stowell on behalf of the Cannon River Winery made an application for a Conditional Use Permit to allow expanding a conditional use in the B-1 Central Business District; and

WHEREAS, the Planning Commission conducted a public hearing on July 9, 2018 to accept public testimony relating to the application; and

WHEREAS, the Planning Commission finds that the proposed expansion is not reasonable based upon the findings of fact found in Exhibit A accompanying this resolution; and

WHEREAS, the Planning Commission recommends to the Cannon Falls City Council that the application for the Conditional Use Permit be denied.

NOW THEREFORE LET IT BE RESOLVED BY THE CITY COUNCIL OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that based on the findings of the Planning Commission and Findings of Fact in Exhibit A accompanying this resolution, which are hereby adopted by the City Council, that the Conditional Use Permit be denied.

ADOPTED by the City Council of Cannon Falls this 17th day of July, 2018.

SIGNED:

Lyman M. Robinson, Mayor

ATTEST:

Lanell Endres, Interim City Administrator

Exhibit A

Findings of Fact:

1. Mr. Stowell submitted an application for a conditional use permit on April 23, 2018 but the application did not include supplemental information required for proper review as required by City Zoning Code.
2. Section 152.037(B)(5) states that applications received by city staff will be deemed complete unless notice is given to the applicant within 15 days of receiving the application. Staff did not notify Mr. Stowell of an incomplete application therefore the existing application is considered complete by definition.
3. In order to comply with Minnesota State Statute 15.99 a decision must be made by the Council within 120 days of a complete application.
4. Approval from the City Engineer regarding drainage and runoff was not received as is required in section 152.073(J) which states, "The site drainage system shall be subject to the review and approval of the City Engineer." Because the applicant has not submitted site drainage plans the City Engineer was unable to determine if the drainage would cause problems.
5. Final exterior and interior building plans were not received therefore a proper review of the architectural appearance and functional design of the building was not possible as is required in section 152.073(K) which states, "The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing or potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment."