

TO: MAYOR AND CITY COUNCIL

FROM: DIANNE HOWARD, ZONING ADMINISTRATOR

SUBJECT: Set a Public Hearing for Annexation

MEETING DATE: Tuesday, June 21, 2022

BACKGROUND

There has been a request for annexation by Aaron Smith of Greensmith Builders, supported by property owner, Josie Hayes. This property is currently in Cannon Falls Section 7, Township 12, R 017, PID #28.007.0100.

The request for annexation is for approximately 44 acres. The proposed use will be R-3 Medium Density Residential District single family homes.

The following exhibits are enclosed to further describe the proposal:

1. Development Application
2. Preliminary Concept Plan
3. Survey by Johnson and Scofield, Inc.
4. Split approval by County Zoning Administrator
5. R-3 informational sheet

Planning Commission unanimously approved recommendation to the City of Cannon Falls to set a hearing for annexation.

STAFF RECOMMENDATIONS

I respectfully request a motion approving Resolution 2635 Proposed Annexation of Property Owned by Josie Hayes of PID 28.007.0100 and Currently Located in Cannon Falls Township into the City of Cannon Falls.

REQUESTED COUCIL ACTION

I respectfully request a motion approving Resolution 2635 Proposed Annexation of Property Owned by Josie Hayes of PID 28.007.0100 and Currently Located in Cannon Falls Township into the City of Cannon Falls.

V5003



DEVELOPMENT APPLICATION

918 River Road, Cannon Falls, MN 55009 | 507-263-9308

SUBJECT TO STAFF REVIEW

Street Location of Property: Carlson Rd.

Legal Description of Property: _____

Owner of Record: Name: ARON SMITH JOSIE HAYES
Daytime Phone: 651-253-7659
Address: 300 Carlson Road
Cannon Falls, MN 55009
E-Mail Address: jhayes432@gmail.com

Applicant (if other than owner) Name: ARON SMITH
Daytime Phone: 612 325 5719
Address: 1410 E 100th ST
BLUMINGTON, MN 55125
E-Mail Address: ARON@GREENSMITH.BUILDERS

Notary Stamp

Nature of Legal or Equitable Interest of Applicant (Documentation must be attached :)

- | | | | | |
|----------|--------------------------|------------------------|-------------------------------------|-----------------------------------|
| Request: | <input type="checkbox"/> | Conditional Use Permit | <input type="checkbox"/> | Rezoning/Ordinance Text Amendment |
| | <input type="checkbox"/> | Subdivision | <input type="checkbox"/> | Variance |
| | <input type="checkbox"/> | Concept | <input type="checkbox"/> | Interim Use Permit |
| | <input type="checkbox"/> | Preliminary Plat | <input type="checkbox"/> | Amendment |
| | <input type="checkbox"/> | Final Plat | <input type="checkbox"/> | CUP/PUD |
| | <input type="checkbox"/> | Administrative | <input type="checkbox"/> | Site Plan Review |
| | <input type="checkbox"/> | Administrative Permit | <input type="checkbox"/> | Special Home Occupation |
| | <input type="checkbox"/> | Vacation | <input checked="" type="checkbox"/> | Annexation Petition |
| | <input type="checkbox"/> | Comp Plan Amendment | <input type="checkbox"/> | Appeal |
| | <input type="checkbox"/> | Other | | |

Note: Each requested approval may require a separate fee and/or escrow amount, even where they apply to the same project.

Date Application Received: 6/13/22

Date Submission Deemed to be Complete: _____

Give detailed description of project and reason for conditional use or variance, if applicable:

annexation

SUPPORTING DOCUMENTATION: Applicant must submit with the application all documentation required by the Zoning or Subdivision Ordinance relating to the requested approval. Applicant will be advised of the completeness. Only when it has been determined that an application is complete will it be placed on a Planning Commission agenda for consideration. Applications that do not include the proper plans and/or documentation may be delayed from formal review. **FAILURE ON THE PART OF THE APPLICANT TO SUPPLY ALL NECESSARY SUPPORTIVE INFORMATION MAY BE GROUNDS FOR DENIAL OF THE REQUEST.**

APPLICANT RESPONSIBILITY FOR PAYMENT OF ALL CITY FEES AND COSTS IN PROCESSING APPLICATION: Applicant acknowledges that she/he understands that before this request can be considered and/or approved, all fees, including the basic application fee and any escrow processing deposits must be paid to the city and that, if additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional escrow amounts and payment. These fees include all actual costs including, but not limited to, planning, engineering, public notification and legal costs. All processing of an application will be halted if payments are not made within 30 days of receipt of a monthly statement from the City, in the event any escrow account established is insufficient to cover the costs.

SIGNED:


Property Owner

Date: 4/26/2022

Applicant (if not the Property Owner)

Date: _____

=====

FOR CITY USE ONLY

Date Application Filed: 6/13/22 Basic Fees: 450.00

Received By: DW Escrow Deposit: _____

Evidence of Ownership Submitted: Yes No Required
Certified Lot Survey: Yes No Required
Legal Description Adequate: Yes No Required

Date of Planning Commission Meeting: 6/13/22

Recommendation of Planning Commission on: 6/13/22 Approve Deny

Recommendation of City Council on: _____ Approve Deny

Subject to following conditions: _____

ACTIONS TO PROCESS AN ANNEXATION

Per MN Statute 414.033 Subd. 2 (3)

__ Receipt of petition (signed by all landowners) and fee paid. (Determine zone classification).
Received on _____

__ Assemble Planning Commission packet at least 10 days prior to PC Meeting.

__ Next Planning Commission Meeting on: 6/13/22
If Commission recommends, petition sent to next City Council meeting.

__ Next City Council meeting on: 6/21/22
Motion to permit a hearing after 30 days notification.

__ Next day on 6/22/22, City send out written notifications of hearing to affected townships and landowners abutting the affected portions of land.
30 days given to public prior to hearing. (Township mailing should be certified).
***Also have published in newspaper.**
City contacts office of MN Secretary of State for review of documents/maps and makes changes as needed.

__ Check with Township Clerk to make sure there are no assessments on the property.

__ Calculate township taxes to be paid over a two-year period.

__ Contact City Attorney to draw up ordinance.

__ Assemble City Council packet for Sara Peer at least 6 days prior to City Council meeting.

__ Next City Council meeting **after the 30 days of notification**, on: 8/2/22
Hearing is held for the public.
Motion to dis/approve the petition for annexation by ordinance.

1st reading

__ Send up to the MN Secretary of State for approval.

__ Ordinance signed and published. *2nd reading TBD*

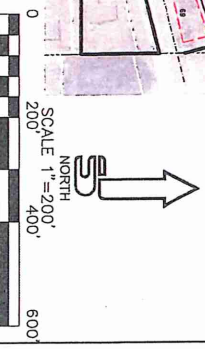
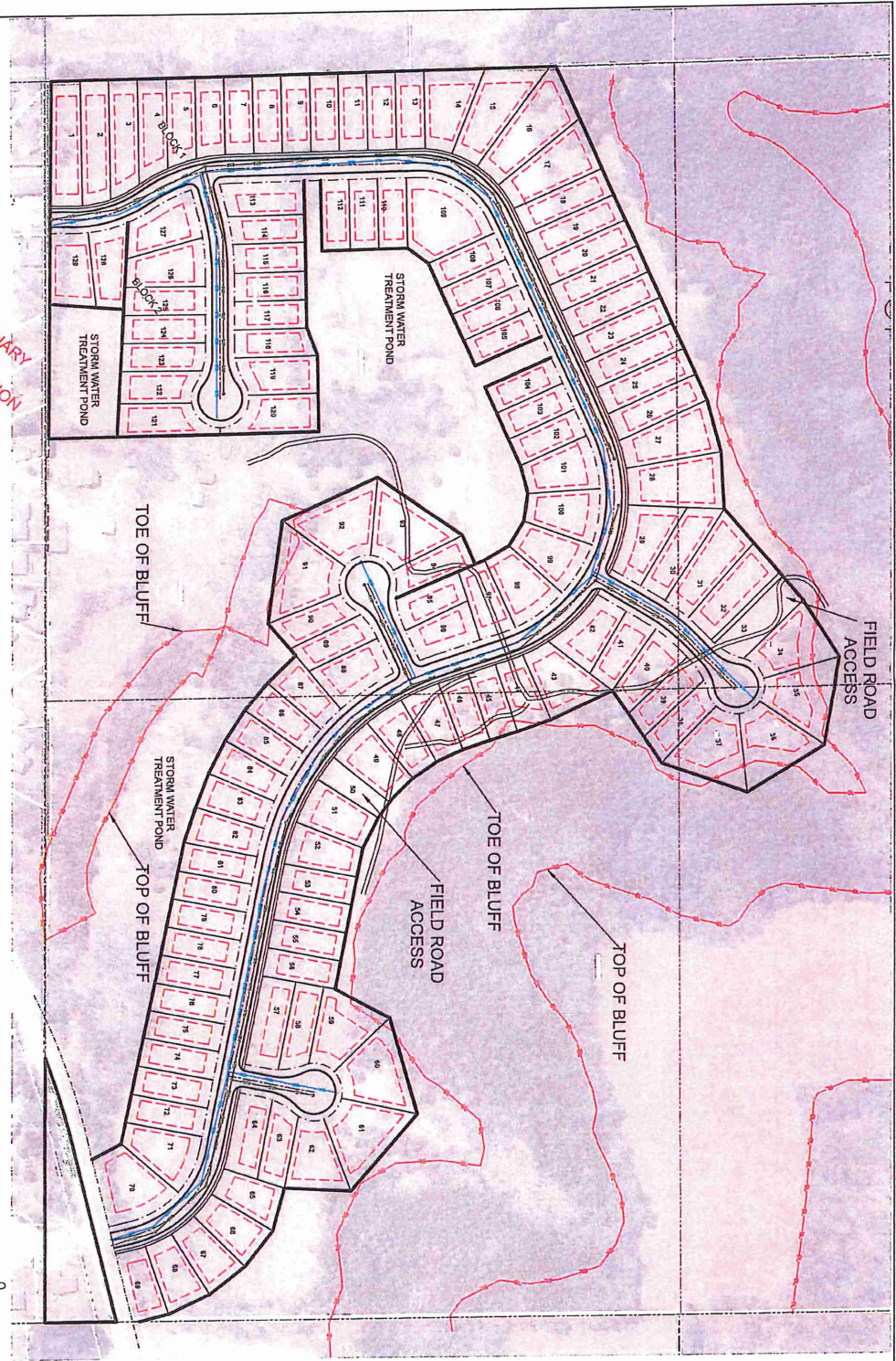
JOHNSON & SCOFFIELD INC.
 Surveying & Engineering
 1200 Lake Street, 4th Floor, MN 55403
 Tel: 612-338-1100 Fax: 612-338-1101

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

DESIGNED	DRAWN	CHECKED	REVISION	DATE	BY	NAME

**CARLSON FARM BLUFFS
 PHASE 2
 CANNON FALLS, MINNESOTA**

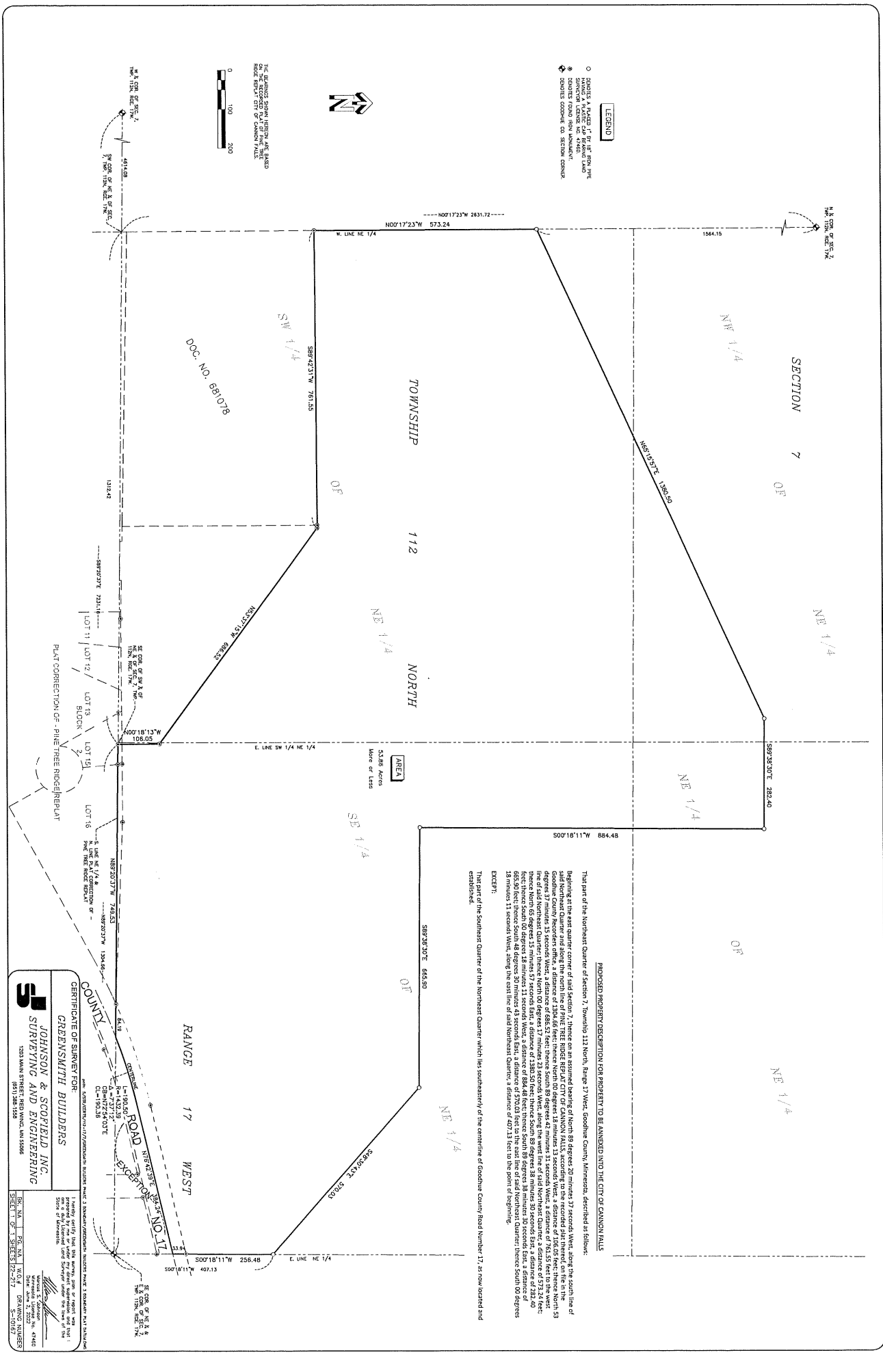
**FULL BUILD CONCEPT PLAN
 SHEET 1 OF 1 SHEET**



LEGEND

- POINTS NUMBERED 1-11 ARE FROM THE ORIGINAL PLAT OF SECTION 7
- POINTS NUMBERED 12-15 ARE FROM THE ORIGINAL PLAT OF SECTION 7
- POINTS FROM THE ORIGINAL PLAT OF SECTION 7
- POINTS FROM THE ORIGINAL PLAT OF SECTION 7

THE LUTHERAN SCHOOL HEREIN ARE BASED UPON THE ORIGINAL PLAT OF SECTION 7, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GOODHUE, MINNESOTA.



PROPOSED PROPERTY DESCRIPTION FOR PROPERTY TO BE ANSWERED TO THE CITY OF CANNON FALLS

That part of the Northeast Quarter of Section 7, Township 112 North, Range 17 West, Goodhue County, Minnesota, described as follows: Beginning at the east quarter corner of said Section 7, thence on an assumed bearing of North 88 degrees 30 minutes 37 seconds West, along the south line of said Northeast Quarter and along the north line of PINE RIDGE REPLY CITY OF CANNON FALLS, according to the recorded plat thereof, on the line of Goodhue County Recorder Office, a distance of 3380.48 feet; thence North 00 degrees 18 minutes 13 seconds West, a distance of 62.55 feet; thence North 53 degrees 57 minutes 57 seconds East, a distance of 3180.50 feet; thence North 00 degrees 23 seconds West, along the west line of said Northeast Quarter, a distance of 573.24 feet; thence North 65 degrees 15 minutes 57 seconds East, a distance of 3180.50 feet; thence South 89 degrees 38 minutes 30 seconds East, a distance of 282.40 feet; thence North 88 degrees 30 minutes 43 seconds East, a distance of 570.03 feet to the east line of said Northeast Quarter; thence South 00 degrees 18 minutes 11 seconds West, along the east line of said Northeast Quarter, a distance of 407.13 feet to the point of beginning.

EXCEPT:

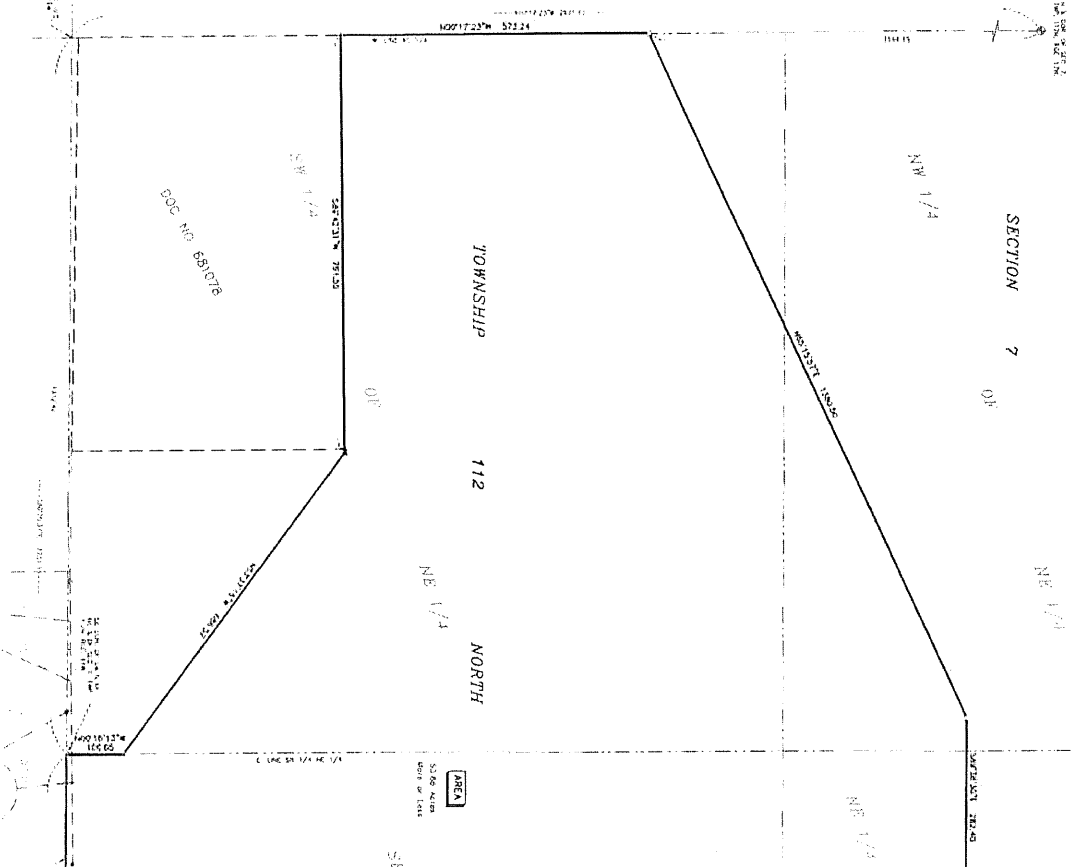
That part of the Southeast Quarter of the Northeast Quarter which lies southeasterly of the centerline of Goodhue County Road Number 17, 30 feet wide and 30 feet deep.

CERTIFICATE OF SURVEY FOR
GREENSMITH BUILDERS
JOHNSON & SCORFIELD INC.
SURVEYING AND ENGINEERING
 1303 MAIN STREET, REDWOOD FALLS, MN 56586
 (857) 368-1558

Surveyed and Platted by:
Wesley S. Johnson, Lic. #4940
 Date: June 2, 2022
 DRK 2022-0107

Scale: 1" = 50' AS SHOWN
 SECTION 7, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GOODHUE, MINNESOTA

- LEGEND**
- 1. BOUNDARY OF SECTION 7 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS
 - 2. BOUNDARY OF SECTION 2 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS
 - 3. BOUNDARY OF SECTION 17 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS



Split Approved by
County Zoning Administrator
 Date: 6-13-22 By [Signature]
 This does not guarantee a building site.
 Splits must be recorded within one
 year of approval.
 *Assessment for access to remainder shall be
 recorded at time of official split

PUBLIC NOTICE: THE PUBLIC NOTICE REGARDING THE SPLIT OF SECTION 7 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS, IS HEREBY GIVEN. THE SPLIT OF SECTION 7 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS, IS HEREBY GIVEN. THE SPLIT OF SECTION 7 OF RANGE 17 WEST, TOWNSHIP 112 NORTH, RANGE 17 WEST, COUNTY OF GREENSMITH BUILDERS, IS HEREBY GIVEN.

CERTIFICATE OF SUPERIOR
GREENSMITH BUILDERS
JOHNSON & SCOTFIELD INC.
SURVEYING AND ENGINEERING

PROJECT NO. 22-001
 DATE: 6/13/22
 DRAWN BY: [Name]
 CHECKED BY: [Name]

152.546 LOT REQUIREMENTS AND SETBACKS.

The following minimum requirements shall be observed in an R-3 District subject to additional requirements, exceptions and modifications set forth in this chapter.

Double frontage lots	155 feet
Minimum lot area	
Single-family	9,000 square feet
Townhouse or quadraminium	6,000 square feet per unit
Two-family	10,000 square feet base lot; 5,000 square feet per unit
Minimum lot depth	
Single-family	135 feet
Two-family	135 feet
All other uses	135 feet
Minimum lot width	
Single-family	
Corner lot	70 feet
Interior lot	60 feet

Townhouse or quadraminium	
Base lot	Not less than 120 feet
Unit lot	Not less than 24 feet per unit
Two-family	
Corner lot	90 feet
Interior lot	80 feet
Setbacks	
Base lot	
Front	25 feet
Rear	20 feet except 25 feet for double frontage lots
Side	10 feet except 20 feet for the side yard of a corner lot abutting a public right-of-way
Zero lot line	Side yard setback requirements shall not be applied to a common wall of a two-family, townhouse, quadraminium or multiple-family dwelling unit
Single- family lot	
Front	25 feet
Rear	20 feet except 25 feet for double frontage lots
Rear (detached accessory structure)	5 feet
Rear (garage accessing alley)	See § <u>152.237</u>

Side (detached accessory structure)	5 feet
Side (principal structure)	10 feet except 20 feet for the side yard of a corner lot abutting a public right-of-way; 5 feet on garage side only when accommodating an attached garage

§ 152.547 BUILDING REQUIREMENTS.

The following building requirements shall be observed in an R-3 District.

- (A) All residences shall be limited to a maximum height of two and one-half stories or 35 feet.
 - (B) Dwelling unit floor area shall be governed by § 152.210 of this chapter.
 - (C) Accessory structures shall be governed by §§ 152.230 through 152.241 of this chapter.
- (Prior Code, § 11-55-8) (Ord. 258, passed 5-4-2006)

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

RESOLUTION NUMBER 2635

**PROPOSED ANNEXATION OF PROPERTY OWNED BY JOSIE HAYES OWNER OF
PID 28.007.0100 AND CURRENTLY LOCATED IN CANNON FALLS TOWNSHIP
INTO THE CITY OF CANNON FALLS**

WHEREAS, Josie Hayes (owner) and Aaron Smith of Greensmith Builders has made application for a partial annexation of PID# 28.007.0100 (43.86 more or less acres), currently located in Cannon Falls Township and is further proposing that it be zoned R-3 Medium Density Residential District upon completion of annexation; and

WHEREAS, the Planning Commission reviewed the Annexation Application on June 13, 2022 at their regularly scheduled meeting; and

WHEREAS, the Planning Commission finds the granting of the proposed annexation and zoning classification recommendation reasonable and in conformance with the City of Cannon Falls Comprehensive Plan.

WHEREAS, The Cannon Falls Planning Commission hereby recommends to the Cannon Falls City Council that the application for a proposed annexation and zoning classification recommendation be moved forward to the City Council.

**NOW THEREFORE LET IT BE RESOLVED BY THE CITY OF CANNON FALLS,
GOODHUE COUNTY, MINNESOTA,** that a public hearing be set by the City Council to take input on the proposed annexation of 43.86 acres owned by Josie Hayes on August 2, 2022 at 6:30 p.m.

ADOPTED by the City Council of Cannon Falls this 21st day of June, 2022.

CITY OF CANNON FALLS

John O. Althoff, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator