

TO: Cannon Falls City Council
FROM: Dianne Howard, Zoning Administrator
SUBJECT: CONDITIONAL USE PERMIT FOR PID's #527100770 & #527100761
DATE: December 6, 2022

BACKGROUND

A public hearing was held at the Planning Commission to consider a request for a conditional use permit for .31633 64th Avenue, PID's #527100770 & #527100761. *This property is currently zoned B-2 Highway Business District.*

PROJECT DETAILS

Kal's Motor Group bought Cannon Power Sports. Ray Schoenfelder is the owner of the real estate holding company and will continue to own the real estate portion. Kal's Motor Group and Ray Schoenfelder are requesting a conditional use permit for Outdoor Sales Lots for the sale of ice houses, as well as a conditional use permit for Outdoor Automobile Sales for the sale of used cars.

The following exhibits are enclosed to further describe the proposal:

1. Copy of Development Application
2. Copy of B-2 Highway Business District §152.648 CONDITIONAL USES: (I) Outdoor Sales Lots and (X) Automobile Sales, Outdoor
3. Survey
4. Kal's Motor Group Business Plan
5. Product photos (2)
6. GIS Site Map
7. GIS Map indicating lot lines
8. Site photos (3)

Staff recommends approval of the Application.

REQUESTED COUNCIL ACTION

City Council is being asked to adopt Resolution 2657 for Conditional Use Permits for PID's #527100770 & #527100761.

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

RESOLUTION NUMBER 2657

**CODITIONAL USE PERMITS FOR 31633 64TH AVENUE
PID's #527100770 & #527100761**

WHEREAS, Kal's Motor Group and Ray Schoenfelder have made application for a Conditional Use Permit for Outdoor Sales Lots as well as a Conditional Use Permit for Outdoor Automobile Sales at 31633 64th Avenue, PID's #527100770 & #527100761, B-2 Highway Business District as regulated by the Zoning Ordinance; and,

WHEREAS, the Planning Commission conducted a hearing on Monday, November 14, 2022 to accept testimony relating to the application; and,

WHEREAS, the Planning Commission finds the granting of the Conditional Use Permits are reasonable, in harmony with the general purposes and intent of the Zoning Ordinance, 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 Conditional Use Permits be approved.

NOW THEREFORE, LET IT BE RESOLVED BY THE CITY OF CANNON FALLS, GOODHUE COUNTY, MINNESOTA, that based on the findings of the Planning Commission which are hereby adopted by the City Council that the Conditional Use Permits be approved subject to compliance with all applicable requirements of the City of Cannon Falls Zoning Chapter 152 and the State of Minnesota Building Code Requirements.

ADOPTED by the City Council of Cannon Falls this 6th day of December, 2022.

CITY OF CANNON FALLS

John O. Althoff, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator



DEVELOPMENT APPLICATION

918 River Road
Cannon Falls, MN 55009
507-263-9312

SUBJECT TO STAFF REVIEW

Street Location of Property: 31633 64th Ave

Legal Description of Property: Property Tax ID 527100770, 527100761

Owner of Record: Name: Hader Properties LLC

Daytime Phone: 612 812 0762
Address: 40212 County 8 Blvd Zumbrota MN 55992

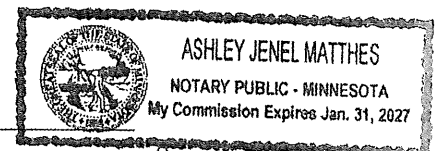
Applicant (if other than owner) Name: Kals Motor Group / Ray Schoenfelder

Daytime Phone: 218 639 9467

Notary Stamp

Address: 1000 N Jefferson Wadena MN 56482

E-Mail Address: Dan@packerbrothers.com



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

- | | | | | |
|----------|--|---|--------------------------|-----------------------------------|
| Request: | <input checked="" type="checkbox"/> XX | 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 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: _____

Date Submission Deemed to be Complete: _____

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


Used Auto Dealer Ship check out how we run our business www.kalsmotorgroup.com _____


App for outdoor sales lot &
automobile sales
at 31633 64th Ave. PKD 527100770
B-2

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:

 Date: 10/26/22
Property Owner

 Date: 10/26/22
Applicant (if not the Property Owner)

FOR CITY USE ONLY

Date Application Filed: 10/27/22

Basic Fees: 450⁰⁰

Received By: da

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: 11/14/22

Recommendation of Planning Commission on: _____ ☐ Approve ☐ Deny

Recommendation of City Council on: _____ ☐ Approve ☐ Deny

Subject to following conditions: _____

B-2 HIGHWAY BUSINESS DISTRICT:

§ 152.648 CONDITIONAL USES

(I) Outdoor sales lots (not outdoor storage) provided that:

- (1) Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district in compliance with § [152.279](#) of this chapter; **(Existing—N/A)**
- (2) Outside sales or rental are associated with a principal building of at least 1,000 square feet of floor area; **(Yes)**
- (3) Outdoor sales area shall be set at least five feet back from all property lines and at least 15 feet back from any street surface; **(Yes)**
- (4) The entire sales lot and off-street parking area is paved; **(Yes)**
- (5) A perimeter curb is provided around the sales/parking lot; **(Existing—N/A)**
- (6) All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with § [152.187](#) of this chapter; and **(Existing—N/A)**
- (7) Materials for sale shall be displayed in an orderly manner and shall not constitute junk, as defined by this chapter. **(See plans)**

(X) Automobile sales; outdoor; provided that:

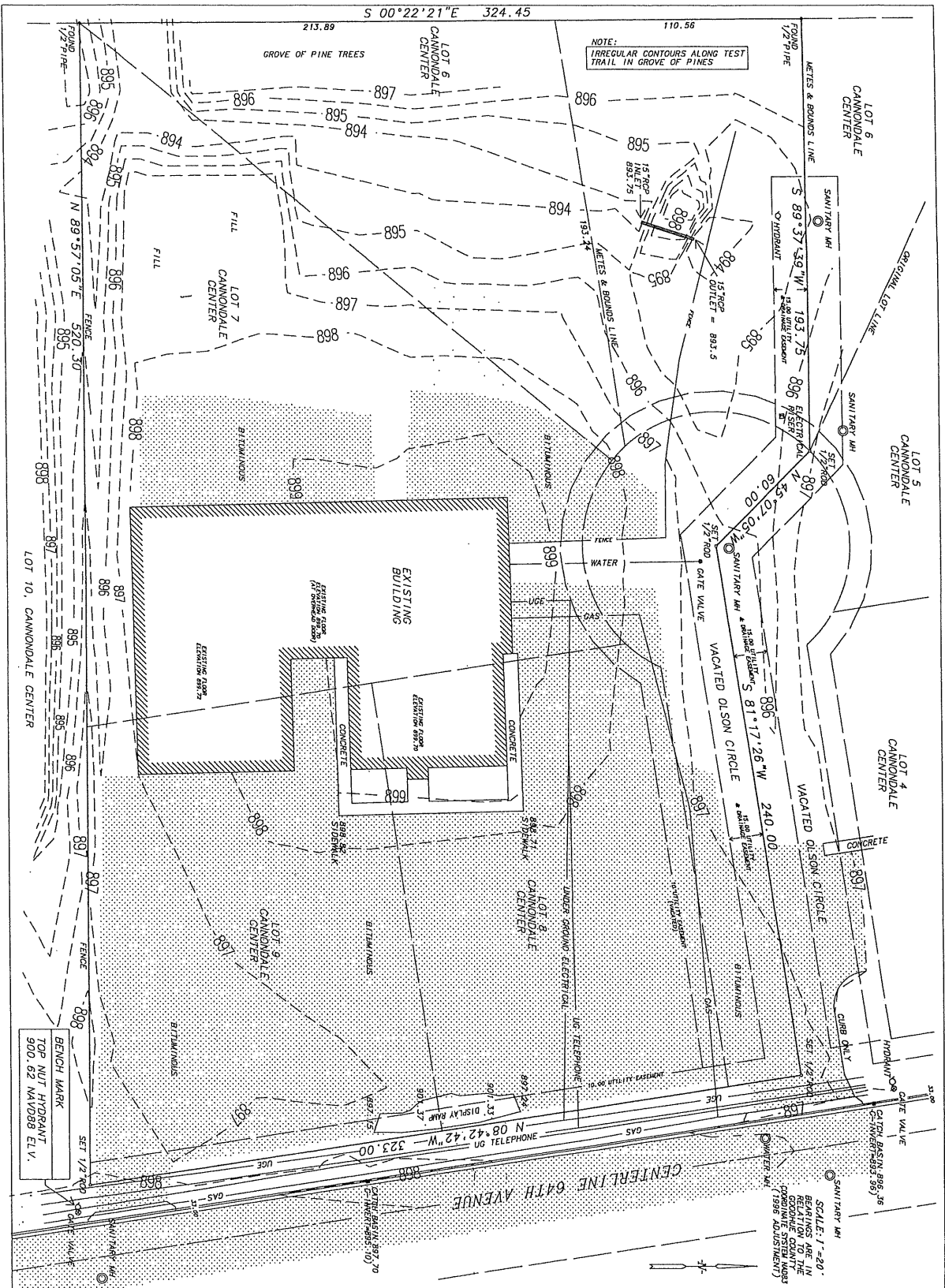
- (1) Vehicular access points shall be located along arterial streets and shall be limited and designed and constructed to create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer; **(Existing—N/A)**
- (2) A drainage system subject to the approval of the City Engineer shall be installed; **(Existing—N/A)**
- (3) Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 152.278 of this chapter; **(Existing—N/A)**
- (4) Traffic sight visibility shall be maintained in compliance with § 152.186 of this chapter; **(Yes)**
- (5) Provisions are made to control and minimize noise, air and water pollution; **(Existing—N/A)**
- (6) All storage and parking areas are blacktopped or concrete surfaced unless specifically approved by the City Council; **(Yes)**

(7) Parking or automobile storage space shall be screened from view of abutting residential districts in compliance with §§ 152.275 through 152.281 of this chapter; **(Not applicable)**

(8) At the boundaries of the lot, the following landscape area shall be required:
(Existing—N/A)

(a) From side and rear property lines, an area of not less than ten feet wide shall be landscaped in compliance with § 152.278 of this chapter;

(b) From all road rights-of-way, an area of not less than 15 feet wide shall be landscaped in compliance with § 152.278 of this chapter;



PREPARED FOR:
**HADER
 PROPERTIES,
 LLC.**

3863 RITE AVE
 CANNON FALLS, MN 55603

CERTIFICATION

I, the undersigned, being a duly Licensed Professional Engineer in the State of Minnesota, do hereby certify that this is a true and correct copy of the original as shown to me by the owner of the same for the purpose of recording.

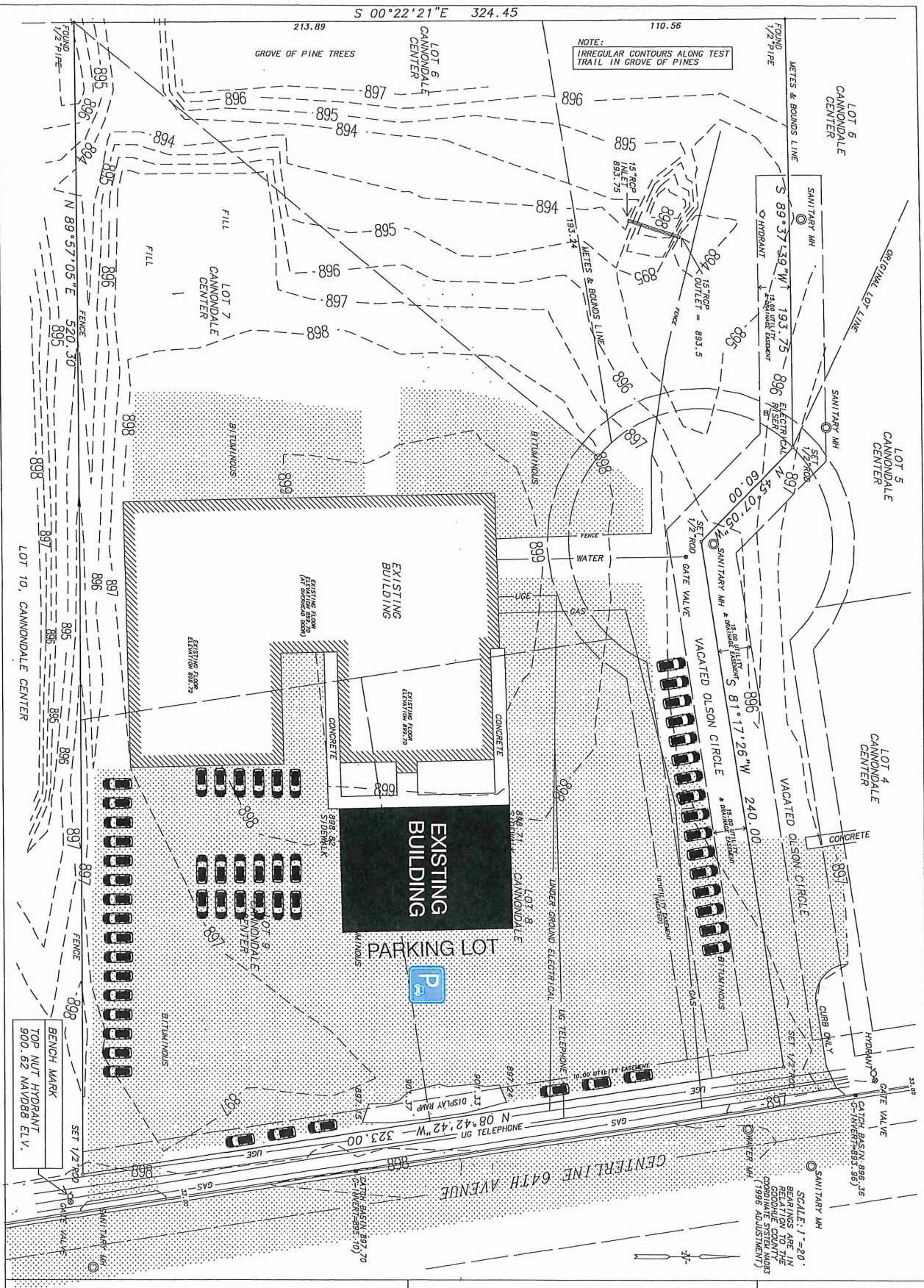
**CIVIL
 ENGINEERING
 SERVICES
 COMPANY**
 5500 Highway 63 South
 Rochester, MN 55904

REVISIONS
 DATE: _____
 BY: _____



VINCENT A. FANGMAN
 LICENSED LAND SURVEYOR
 OFFICE LOCATION:
 23 RIVER BLVD., NW
 MINNAPOLIS, MN 55412
 MAILING ADDRESS:
 1700 COUNTY ROAD 20 NW
 FINE ISLAND, MN 55834
 507-356-0634

TOWNSHIP SURVEY AND
 CAD DRAWING PREPARED
 BY FANGMAN LAND SURVEYING
 DATE: AUGUST 21, 2012
 DRAWN BY: JEFF FANGMAN
 CHECKED BY: VINCENT FANGMAN



PREPARED FOR:
**HADER
PROPERTIES,
LLC.**

3000 64TH AVE
CANNONDALE, MN 55909

CERTIFICATION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.
The date of this certification is: _____
My Minnesota License No. is: _____
The date of this certification is: _____

**CIVIL
ENGINEERING
SERVICES
COMPANY**

5300 Highway 63 South
Rochester, MN 55904

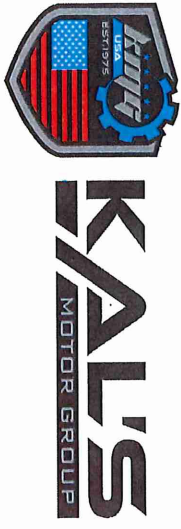
REVISIONS

DATE: _____
BY: _____



TYNCE A FANGMAN
LICENSED LAND SURVEYOR
OFFICE LOCATION:
281 SOUTH MAIN STREET
PINE ISLAND, MN
MAILING ADDRESS:
700 SOUTH MAIN STREET
PINE ISLAND, MN 55958
507-356-8634

TOPOGRAPHY SURVEY AND
CAD DRAWING PREPARED
BY FANGMAN LAND SURVEYING
DRAWN BY: NATE FANGMAN
CHECKED BY: NATE FANGMAN
DRAWING NUMBER: CANNONDALE



* Wademas
Location



**Financing
Available**
ON APPROVED CREDIT



@ Cannon Falls, MN
Location



KAL'S
MOTOR GROUP

ArcGIS WebMap



November 7, 2022

Goodhue County Roads

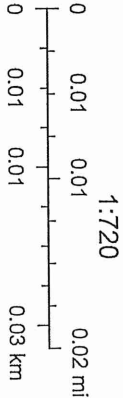
House Number

Full Name

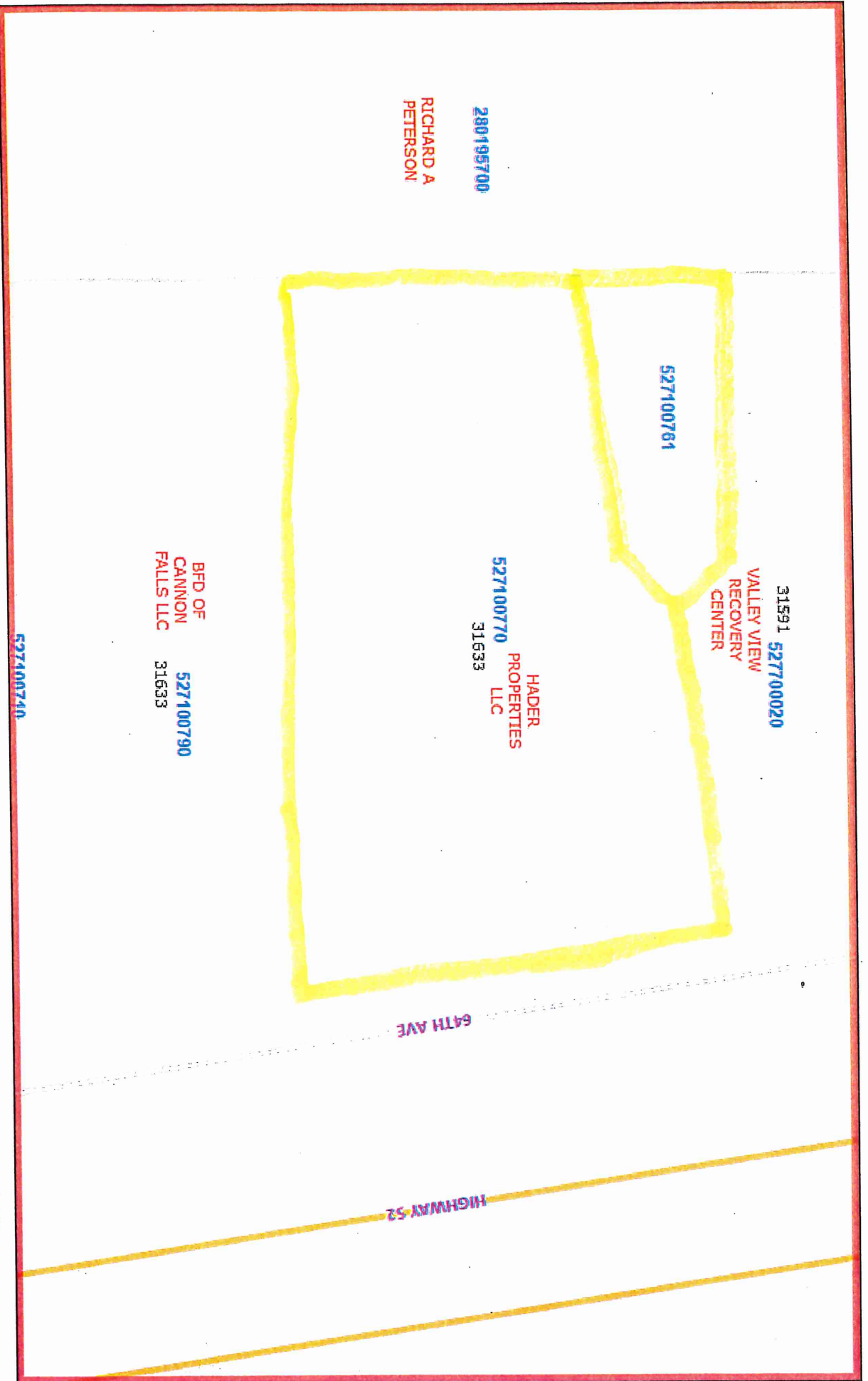
CEM; ; OCTY; OCRLN; CTRLN

PIN

Parcels



ArcGIS WebMap



October 28, 2022

Goodhue County Roads

CEM; ; OCTY; OCRLN; CTRLN

House Number

Full Name

PIN

Parcels

USHWY

