TO:	Cannon Falls City Council
FROM:	Zach Logelin, License and Permit Technician
SUBJECT:	Variances-Dollar General (PID 52.480.0700), Zoned R-B
DATE:	June 18 th , 2024

BACKGROUND:

At the June 10th Planning Commission meeting, Dollar General shared their site plans regarding a proposed Dollar General store located at PID 52.480.0700. Dollar General representatives and their civil engineer will be at the meeting tonight to discuss some changes they have made to their proposed site plan. The changes were sent over late Thursday (6/6), so the notice and application don't necessarily match what is being requested tonight.

The building has been reduced in size from 10,640 sq. ft to 9,100 sq ft. as well as pushed forward .7 feet closer to Dakota street.

Request:

<u>Variance</u>: A nine-space reduction to the required parking space. The parking minimum has decreased due to the square footage of the building.

Variance: A 13.7 front yard setback Variance is being applied for.

The decrease in size to the proposed building and shift towards Dakota street has eliminated the need for the previously proposed drive aisle Variance request.

Please discuss and share your opinion on the new site plan. Screening on the north side of the parcel abutting Progressive Rail should also be a topic of discussion.

The following exhibits are enclosed to further describe the proposal:

- 1. Variance application
- 2. GIS Map of property (aerial)
- 3. Legal Description
- 4. Floor & building plans
- 5. Survey of site
- 6. City Code 152.611 Showing setbacks in the R-B zone
- 7. City code 152.259 Showing number of parking spaces required based on business type
- 8. Resolution 2763

REQUESTED CITY COUNCIL ACTION

If you are satisfied with the new proposal, please consider and make a motion to approve Resolution 2763, allowing a 13.7 front setback Variance and a nine-space reduction to the parking requirement for Dollar General.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission of the City of Cannon Falls, Minnesota will meet on Monday, June 10th, 2024 beginning at 6:30 p.m. (or as soon thereafter as the matter may be heard) in the City Council Chambers at City Hall, 918 River Road, to conduct a public hearing to consider an application requesting a Conditional Use Permit for retail use in the R-B zone to accommodate the new construction of a Dollar General. The applicant is also requesting a thirteen-foot front yard setback Variance, an eighteen-space reduction to the parking requirement, and a seven-foot drive aisle setback (PID 524800700). This property is zoned R-B, Residential Business. Any other applicable zoning requirements that affect the application will also be considered at this time.

More detailed information relating to the application is available for public inspection at the office of the City Administrator, 918 River Road, Cannon Falls, MN 55099.

Anyone interested in offering comments with regard to the application for the Conditional Use Permit and Variances will be given an opportunity to do so at this hearing.

Zach Logelin 507-263-9308



DEVELOPMENT APPLICATION

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

SUBJECT TO STAFF REVIEW

Street Location of Property: Northeast corner of 5th St. N & Dakota St. W (524800700)

Legal Description of Property: See attached

Owner of Record:		Name: Acre Real Estate	Holding	LLC		
		Daytime Phone:				
		Address: 415 Main St.				
		Nerstrand MN, 55053			_	
Applicant (if other than owner)		Name: Cannon Falls DG, LLC				
		Daytime Phone: 205-968-9220			Notary Stamp	
		Address: 361 Summit Blvd., Suite 110				
		Birmingham, AL	35243	3	_	
		E-Mail Address: kfarrelly@	cgpre.c	com		
Nature of Le	egal or Eq	uitable Interest of Applicant (Do	cumenta	tion must be a	attached :)	
Request:		Conditional Use Permit Subdivision PALD Concept Preliminary Plat Final Plat Administrative Administrative Permit Vacation Comp Plan Amendment Other		Variance Interim Use Amendmer CUP/PUD Site Plan R Special Ho	P/PUD Plan Review cial Home Occupation nexation Petition	

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

Date Application Received: 4/18/24 Date Submission Deemed to be Complete:

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

Proposed development of a 10,640 sqft Dollar General retail store

at the northeast corner of 5th St. and Dakota St. The site is currently

zoned R-B, Residential Business, and retail is a conditional use in the

R-B district. We are requesting a parking variance, 48 are required &

Dollar General only needs 30 for this size of store. We are also requesting

a parking/drive aisle setback variance along the north property line,

10' setback is required and we're proposing 3.6'.

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.

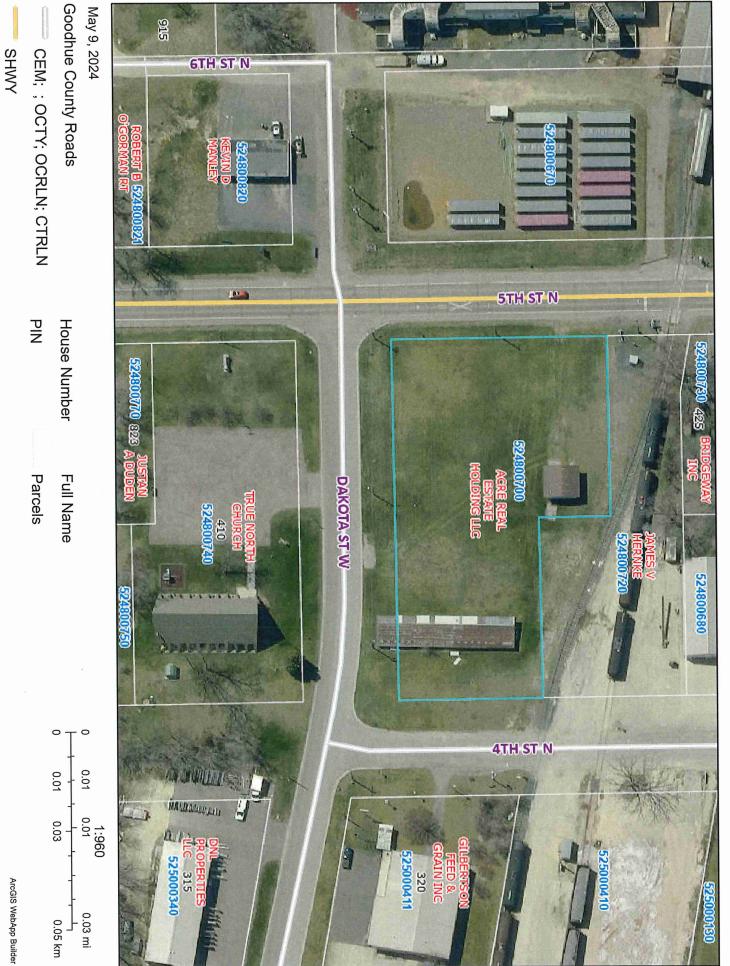
SIGNED:

Douglo- Ullatz Property Owner

James Kirk Farrelly Applicant (if not the Property Owner)

Date: 4/18/24

Date: 4/16/2024



ArcGIS WebMap

Exhibit A LEGAL DESCRIPTION

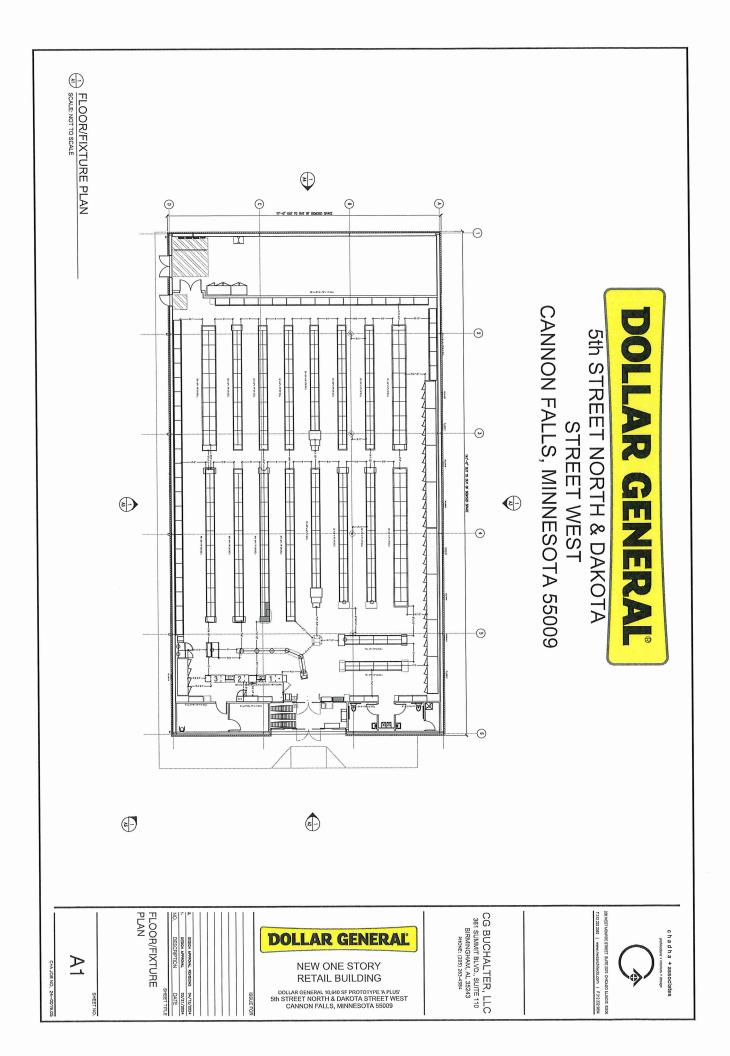
SITUATE IN GOODHUE COUNTY, STATE OF MINNESOTA:

LOTS 4, 5, 6, 7 AND 8, BLOCK 35, ST. CLAIRS TERRE HAUTE ADDITION, CANNON FALLS, GOODHUE COUNTY, MINNESOTA.

Tax ID: 52.480.0700

BEING THE SAME PROPERTY CONVEYED TO ACRE REAL ESTATE HOLDING, LLC, A LIMITED LIABILITY COMPANY, GRANTEE, FROM ROCHELLE GILLILAND AND DONNIE GILLILAND, MARRIED TO EACH OTHER, ANDREA TOMASKA, A SINGLE PERSON AND LINDSEY PRINK F/K/A LINDSAY TOMASKA AND JOSEPH PRINK, MARRIED TO EACH OTHER, GRANTOR, BY WARRANTY DEED RECORDED 09/29/2022, AS INSTRUMENT # A688613 OF THE GOODHUE COUNTY RECORDS.

END OF SCHEDULE A



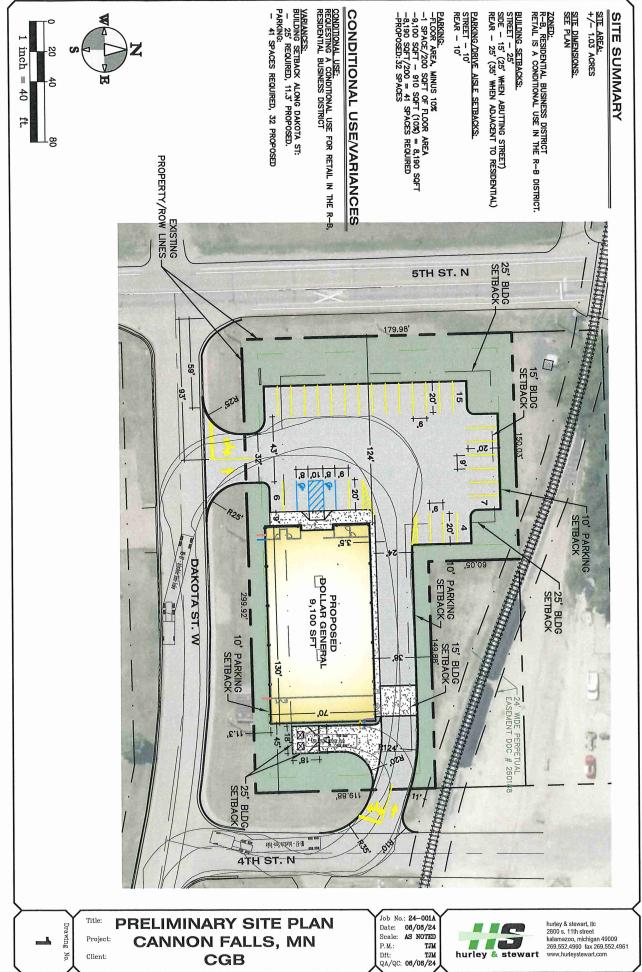












§ 152.611 LOT REQUIREMENTS AND SETBACKS.

(A) Except for Single-family detached and two family dwellings, the following minimum requirements shall be observed in an R-B District subject to additional requirements, exceptions and modifications set forth in this chapter:

Minimum lot area	
Elderly	1,000 square feet per unit
Multiply-family	2,500 square feet per unit
Other uses	15,000 square feet
Minimum lot depth	120 feet
Minimum lot width	100 feet
Minimum setbacks	
Front	25 feet
Rear	25 feet, not less than 35 feet for a nonresidential use on a rear yard abutting a single-family residential zoning district
Side	15 feet, not less than 25 feet on a side yard abutting a street
Zero lot line	Side yard setback requirements shall not be applied to common walls of multiple-family dwellings

(B) The following minimum requirements shall be observed for single-family detached and two-family dwellings subject to additional requirements, exceptions and modifications set forth in this chapter:

Minimum lot area		
Single-family	8,520 square feet	
Two-family (per unit)	5,000 square feet	
Minimum lot depth		
Single and Two Family	142 feet	
Minimum lot width		
Single-family	60 feet	
Two-family	80 feet	
Minimum setbacks		
Front	25 feet	
Rear	20 feet	
Side	Interior	10 feet
	Corner	20 feet
	Common wall	0 feet
Rear/side detached accessory	5 feet	
Garage accessing alley	15 feet	

(Prior Code, § 11-58-7) (Ord. 258, passed 5-4-2006; Ord. 347, passed 9-20-2016)

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§ 152.259 NUMBER OF PARKING SPACES REQUIRED.

(A) Calculating space.

(1) When determining the number of off-street parking spaces results in a fraction, each fraction of one-half or more shall constitute another space.

(2) The term **FLOOR AREA** for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior footprint dimensions of the buildings, structure or use times the number of floors, minus 10%, except as may hereinafter be provided or modified.

(3) In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 18 inches of the design capacity seating facilities shall be counted as one seat for the purpose of determining requirements.

(4) Except as provided for under joint parking and for shopping centers, should a structure contain two or more types of use, each use shall be calculated separately for determining the total off-street parking spaces required.

(B) Number of spaces required. The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth.

(1) Auto, boat, trailer, farm equipment sales lots. One space per 400 square feet gross sales and office floor area and of the building plus one space per each 2,000 square feet of gross outdoor sales lot area.

(2) Auto repair. Two spaces per serving bay; the service bay is not a parking space, plus one for each employee on the maximum shift.

(3) *Boarding house/accessory apartment.* At least one parking space for each person for whom accommodations are provided for sleeping.

- (4) Bowling alleys. Five spaces for each alley plus additional spaces for related uses.
- (5) Car washes (drive through and self service). One space per employee plus:

Drive through	6 stacking spaces
Self-service	1 stacking space per wash bay

(6) *Churches, theaters, auditoriums.* At least one parking space for each four seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with the buildings or uses shall be subject to additional requirements which are imposed by this chapter.

(7) Community centers, libraries, private clubs, lodges, museums, art galleries. One space for each 300 square feet of floor area in the principal structure.

(8) Contractors' offices, shops and yards. One per 1,000 square feet of shop area or warehousing, plus one per 300 square feet of office space.

(9) Daycare facilities.

(a) Daycare facilities serving 14 or fewer persons. In addition to residential parking requirements, one space per seven children capacity.

(b) All other daycare facilities. One space per teacher on the largest shift, plus one space per ten students/children based on maximum capacity of the facility.

(10) *Elderly (senior citizen) housing.* Reservation of area equal to one parking space per unit. Initial development is, however, required of only one-half space per unit and the number of spaces can continue until a time as the City Council considers a need for additional parking spaces has been demonstrated.

(11) Financial institutions, banks, savings and loan. Four spaces for every 1,000 square feet.

(12) Funeral undertaking establishments. At least 20 parking spaces for each chapel or parlor, plus one parking space for each funeral home vehicle. Aisle space shall also be provided off the street for making up a funeral procession.

(13) *Furniture store/household appliances.* One space per 400 square feet of gross sales floor area. One space per 1,000 square feet of warehousing.

(14) Garden supply stores, building material sales in structures. Eight off-street parking spaces, plus one additional space for 800 square feet of floor area over 1,000 square feet.

(15) Golf courses. Four spaces per hole, plus 50% of the requirements for any other associated use.

(16) Golf driving ranges, miniature golf courses, archery ranges. Ten off-street parking spaces plus one for each 100 square feet of floor space of building.

(17) Health clubs. One space per two exercise stations (e.g., strength machine or cardio vascular) plus one space per employee on the largest shift plus additional parking for ancillary uses (e.g., gymnasiums, auditoriums, offices, restaurants).

(18) *Manufacturing facilities.* One space for each 400 square feet of gross floor area, plus one space for every company owned vehicle.

(19) *Motels, motor hotels, hotels.* One space per each rental unit plus one space for each eight units and one space for each employee on any shift.

(20) *Motor fuel stations.* At least four off-street parking spaces plus one space for each employee on duty. Those facilities designed for sale of other items than strictly automotive products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this chapter.

(21) Office buildings, animal hospitals and clinics, professional offices and medical clinics. Three spaces plus at least one space for each 200 square feet of floor area.

(22) Open sales lots. Ten spaces or one per 2,000 square feet gross land area devoted to sales lot, whichever is larger.

(23) Racquetball, handball and tennis courts, commercial. Not less than six spaces per each court.

(24) *Rest home, nursing home, convalescent center or institution*. One space for each six beds based upon maximum design capacity, plus one space for each two employees.

(25) Restaurants, cafés, private clubs serving food and/or drinks, bars, on-sale nightclubs. One space for each 40 square feet of dining or bar area and one space for each 80 square feet of kitchen area.

(26) Restaurants, fast food. Fifteen spaces per 1,000 square feet of gross floor area.

(27) Retail sales and service business with 50% or more of gross floor area devoted to storage, warehouses and/or *industry*. At least eight spaces or one space for each 200 square feet devoted to public sales or service, plus one space for each 500 square feet of storage area.

(28) Retail stores and service establishments. At least one off-street parking space for each 200 square feet of floor area.

(29) Schools, elementary and junior high. One space for each classroom plus one additional space for each 300 student capacity, plus one space for each employee, plus one space for each four seats in auditorium.

(30) *Schools, high schools and colleges.* One space for each classroom plus one additional space for each seven students based upon maximum design capacity.

(31) Shopping centers. Five spaces per each 1,000 square feet of gross leasable floor area (exclusive of common areas).

(32) Single-family and two-family dwellings. Two spaces per unit.

(33) Townhome, quadraminium, manor home, multiple-family dwellings and manufactured homes within manufactured home parks. At least two and one-fourth rent-free spaces per unit. In projects involving eight or more units, the city may require additional clustered guest parking spaces based upon calculation of required demand.

(34) *Warehousing, storage of handling of bulk goods*. The space which is solely used as office shall comply with the office use requirements and one space for each 1,500 square feet of floor area and one space for each company owned truck (if not stored inside principal building).

(35) Other uses. Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council. Factors to be considered in the determination shall include (without limitation) the national parking standards for size of building, type of use, number of employees, expected volume and turnover of customer traffic and expected frequency and number of delivery or service vehicles.

(C) Off-street bicycle parking. Provisions shall be made for the off-street parking of bicycles in all multiple-family and nonresidential developments and uses. Plans for the facilities shall be reviewed and evaluated on an individual project or use basis as part of site plan review provisions of §§ 152.130 through 152.138 of this chapter.

(Prior Code, § 11-19-5) (Ord. 258, passed 5-4-2006)

CITY OF CANNON FALLS GOODHUE COUNTY MINNESOTA

RESOLUTION NUMBER 2763

VARIANCES FOR DOLLAR GENERAL

WHEREAS, Cannon Falls DG LLC has made an application for Variances to allow for a new Dollar General store to fit on a lot in the Residential Business District; and

WHEREAS, the applicant is asking for a thirteen point seven-foot front setback Variance and a nine-space reduction to the parking requirement to accommodate a new Dollar General store, PID 52.480.0700; and

WHEREAS, the Planning Commission conducted a public hearing on June 10th, 2024 to accept public testimony relating to the application; and

WHEREAS, the Planning Commission finds that: the allowance of the requested Variances reasonable; and

WHEREAS, the Planning Commission recommends to the Cannon Falls City Council that the application for the Variances be conditionally approved.

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 which are hereby adopted by the City Council that the Variances to allow a thirteen point seven-foot front setback Variance and a nine-space reduction to the parking requirement be approved subject to compliance with all remaining requirements of the City of Cannon Falls Zoning Code Chapter 152 and State of Minnesota Building Code requirements.

ADOPTED by the City Council of Cannon Falls this 18th day of June, 2024.

CITY OF CANNON FALLS

Matt Montgomery, Mayor

ATTEST: _____

Neil L. Jensen, City Administrator