

TO: Cannon Falls City Council
FROM: Zach Logelin, License and Permit Technician
SUBJECT: Bethel's Rock Church-Conditional Use Permit
DATE: November 12th, 2024

BACKGROUND:

With the recent approval of the text amendment for Bethel's Rock, the church is looking for a Conditional Use Permit to operate in accordance with the newly amended code in the B-2 zone.

Since the code was amended, there are not currently any conditions attached to the conditional use permit. Planning Commission recommended approval with the attached conditions at their October meeting. Tonight, please review if a conditional use permit is appropriate for this use as well as the conditions Planning Commission requested.

Below is a list of recommended conditions that were chosen by the Planning Commission.

Recommended conditions:

- Adequate off-street parking, loading and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use in compliance with §§ 152.255 through 152.264 of this chapter and that the parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §§ 152.275 through 152.281 of this chapter.
- Adequate screening from abutting residential uses and landscaping is provided in compliance with §§ 152.275 through 152.281 of this chapter.
- Must adhere to building and setback requirements in the B-2 district.

Please add any conditions you see fit.

REQUESTED ACTION:

Please make a motion to approve Resolution 2789, allowing Bethel's Rock Church to operate at 32057 64th Ave via a Conditional Use Permit and must adhere to the above conditions.



DEVELOPMENT APPLICATION

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

SUBJECT TO STAFF REVIEW

Street Location of Property: 32057 64th Avenue, Cannon Falls, MN 55009

Legal Description of Property: Improved large two story commercial building.

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Owner of Record: Name: _____

Daytime Phone: _____

Address: _____

Applicant (if other than owner)

Name: Bethel's Rock Church Cannon Falls

Notary Stamp

Daytime Phone: 612-388-2440

Address: 220 Main Street West

Cannon Falls, MN 55009

E-Mail Address: pastorbrandon@bethelsrock.org

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

- | | | | | |
|----------|-------------------------------------|---|--------------------------|-----------------------------------|
| Request: | <input checked="" 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 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: 9/24/24

Date Submission Deemed to be Complete: 9/24/24

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

Looking to utilize the upstairs as a church.


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: _____


Applicant (if not the Property Owner)

Date: 9/24/24

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FOR CITY USE ONLY

Date Application Filed: _____

Basic Fees: \$450.00 (Previously Paid)

Received By: 3e

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: 10/21/24

Recommendation of Planning Commission on: _____ Approve Deny

Recommendation of City Council on: _____ Approve Deny

Subject to following conditions: _____

EXA

Legal Description: WINTER ADDITION LOT-003 BLOCK-001 3.17 AC DOC#682968 LOT 3 BLK 1

ArccGIS WebMap



July 5, 2024

Goodhue County Roads

- CEM; : OCTY; OCRLN; CTRLN
- CSAHP; CRP

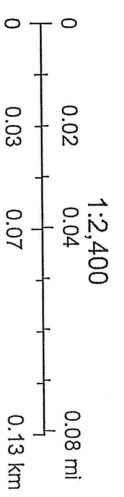
USHWY

House Number

PIN

Full Name

Parcels



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

RESOLUTION NUMBER 2789

**RESOLUTION APPROVING CONDITIONAL USE PERMIT
FOR BETHEL’S ROCK CHURCH**

WHEREAS, Bethel’s Rock Church (“Applicant”) is the applicant for a Conditional Use Permit for property located in the City of Cannon Falls and legally described on the attached Exhibit A (the “Property”);

WHEREAS, the Applicant is applying for a Conditional Use Permit under City Code 152.648(Y) in the B-2, Highway Business district;

WHEREAS, City staff studied the matter, made a report, and provided other information to the Planning Commission and City Council;

WHEREAS, on October 21st 2024, the Planning Commission held a public hearing considering the Applicant’s request for the Conditional Use Permit, recommending approval with the attached conditions.

NOW, THEREFORE, the City Council of the City of Cannon Falls makes the following:

FINDINGS

1. The Applicant is requesting the Conditional Use Permit to utilize a church in the upstairs portion of the building located at 32057 64th Ave in Cannon Falls, Minnesota (the “Proposed Use”).
2. The Property where the Proposed Use will be located is currently zoned B-2, Highway Business.
3. Minn. Stat. § 462.357 grants to the City, for the purpose of promoting the public health, safety, morals and general welfare, the authority to regulate use of land within the City through zoning regulations.
4. The time limit for a decision on the Applicant’s application will not expire until December 23rd, 2024.
5. The granting of the Conditional Use Permit within the City is governed both by the City Code and State Statutes.
6. City Code § 152.070 states: The purpose of a conditional use permit is to provide the city with a reasonable degree of discretion in determining the suitability of certain

designated uses upon the general welfare, public health and safety. In making this determination, whether or not the conditional use is to be allowed, the city may consider the nature of the adjoining land or buildings, the effect upon traffic into and from the premises or on any adjoining streets, and all other or further factors as the city shall deem a prerequisite of consideration in determining the effect of the use on the general welfare, public health and safety.

7. City Code § 152.071 states: An application for a conditional use permit requires a public hearing and is to be processed in accordance with the procedures outlined in § 152.037 of this chapter.

8. City Code § 152.072 states: The Planning Commission shall consider possible effects of the proposed conditional use. Its judgment shall be based upon, but not limited to, the following factors:

- (A) The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Plan;
- (B) The proposed use is or will be compatible with present and future land uses of the area;
- (C) The proposed use conforms with all performance standards contained in this code;
- (D) The proposed use can be accommodated with existing public services and will not overburden the city's service capacity; and
- (E) Traffic generation by the proposed use is within capabilities of streets serving the property.

9. Summary: The Applicant's requested Conditional Use Permit would allow Bethel's Rock Church to operate in the B-2 zone in accordance with City Code 152.648(Y). The requested Conditional Use Permit is consistent with the Cannon Falls Comprehensive Plan. Allowing Bethel's Rock Church in the B-2, Highway Business district as a conditional use is compatible with present and future land uses in the area. The Conditions added will be applied to any new religious institutions in the B-2 zone.

DECISION

§ 152.648 CONDITIONAL USES.

Subject to applicable provisions of this chapter, the following are conditional uses in a B-2 District and require a conditional use permit based upon procedures set forth in and regulated by §§ 152.070 through 152.074 of this chapter:

* * *

(Y) Religious Institutions provided that:

1. Adequate off-street parking, loading and access is provided on the site or on lots directly abutting or directly across a public street or alley to the principal use in compliance with

§§ 152.255 through 152.264 of this chapter and that the parking is adequately screened and landscaped from surrounding and abutting residential uses in compliance with §§ 152.275 through 152.281 of this chapter.

2. Adequate screening from abutting residential uses and landscaping is provided in compliance with §§ 152.275 through 152.281 of this chapter.
3. Must adhere to building and setback requirements in the B-2 district.

DECISION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cannon Falls and based upon the information received and the above Findings:

1. The City Council of the City of Cannon Falls does hereby approve the requested CUP.

ADOPTED by the City of Cannon Falls this 12th day of November, 2024.

Matt Montgomery, Mayor

ATTEST: _____
Neil L. Jensen, City Administrator

Exhibit A

Legal Description: WINTER ADDITION LOT-003 BLOCK-001 3.17 AC DOC#682968 LOT 3 BLK 1