

**CITY OF CANNON FALLS
GOODHUE COUNTY MINNESOTA**

RESOLUTION NUMBER 2836

**CONDITIONAL USE PERMIT FOR DATA CENTERS, DATA CENTER
SUBSTATIONS, OVERHEAD TRANSMISSION LINES & BUILDING HEIGHT**

WHEREAS, Tract (“Applicant”) is the applicant for a Conditional Use Permit to allow Data Centers, Data Center Substations, Overhead Transmission Lines in an I-2 District (“The Conditional Use Permit”) located in the City of Cannon Falls legally described on the attached **Exhibit A** (“The Property”); and,

WHEREAS, Tract (“Applicant”) is the applicant for a Conditional Use Permit to allow an increase in maximum building height of the primary structures from 45ft to 65ft in an I-2 District (“The Conditional Use Permit”) located in the City of Cannon Falls legally described on the attached **Exhibit A** (“The Property”); and,

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

WHEREAS, the Planning Commission conducted a hearing on September 8th, 2025 to accept testimony relating to the application; and,

WHEREAS, the Planning Commission finds the granting of the Conditional Use Permit is reasonable and in conformance with the City of Cannon Falls Comprehensive Plan.

NOW, THEREFORE, the Planning Commission of the City of Cannon Falls makes the following:

FINDINGS

1. The Applicant is requesting a CUP for the purpose of constructing Data Centers, Data Center Substations and their accessory uses within an I-2 District and setting the maximum building height to 65ft (the “Proposed Use”).
2. The Property is currently zoned I-2, General Industrial
3. City Code Section 152.688(M) and 152.688(N) allows Data Centers and Data Center Substations in the I-2 Zone subject to the following conditions.

(M) Data Centers, provided that:

- (1) Public or private sanitary sewer, water, and storm sewer services with adequate infrastructure and capacity are or will be available to serve the Data Center as determined by the City Engineer;

(2) Water, wastewater, and stormwater systems approved as to design and capacity by the City Engineer shall be installed;

(3) All applicable State Public Utilities Commission, Pollution Control Agency, Department of Natural Resources, Department of Health, and Department of Transportation requirements are met to the City's satisfaction;

(4) All mechanical equipment and electrical equipment, other than telecommunications equipment serving the Data Center, is housed in mechanical yards that are fenced and screened in accordance with City Code;

(5) Except as provided in this section, outdoor storage of equipment related to operation of the Data Center must be landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with City Code;

(6) The Data Center is fully enclosed by a fence as approved by the City

(7) Vehicular access points shall create a minimum of conflict with traffic movement and shall be subject to approval of the City Engineer;

(8) All exterior lighting shall be in compliance with § 152.187 of this chapter and a comprehensive lighting plan approved by the City. The maximum site illumination shall not exceed four-tenths foot candle at ground level when measured at any boundary line of the property; except that temporary construction lighting and lighting on access roads at the property boundary shall be exempt;

(9) The site contains adequate parking as determined by the City;

(10) Provisions acceptable to the City are made to control and mitigate noise, light, air and water pollution so as to not unreasonably disturb or interfere with surrounding property owners' use and enjoyment of their property;

(11) Notwithstanding anything to the contrary in the City Code, the requirements of City Code § 152.688(M) apply to Data Centers located within planned unit developments; and

(12) The City, when evaluating a formal request for a conditional use permit pertaining to a specific site prior to approval, upon finding that the general welfare and public betterment can be served as well or better, may add to, modify or expand the conditions set forth herein.

(N) Data Center Substation, provided that:

(1) All applicable State Public Utilities Commission, Pollution Control Agency, Department of Natural Resources, Department of Health, and Department of Transportation requirements are met to the City's satisfaction;

(2) All Data Center Substations are located on the same or contiguous site as the Data Center that it serves;

(3) The number of Data Center Substations serving a Data Center are limited to those necessary for operating the Data Center;

(4) The requirements in §§ 152.385 through 152.389 are satisfied to the City's satisfaction;

(5) Provisions acceptable to the City are made to control and minimize noise, light, air and water pollution so as to not unreasonably disturb or interfere with surrounding property owners' use and enjoyment of their property;

(6) Notwithstanding anything to the contrary in the City Code, the requirements of City Code § 152.688(N) apply to Data Center Substations located within planned unit developments; and

(7) The City, when evaluating a formal request for a conditional use permit pertaining to a specific site prior to approval, upon finding that the general welfare and public betterment can be served as well or better, may add to, modify or expand the conditions set forth herein.

4. City Code Section 152.207 specifies that no structure shall exceed the maximum height requirement of the applicable zoning district provisions except by adhering to the following conditions.

(A) No structure shall exceed the maximum height requirement of the applicable zoning district provisions except by conditional use permit and provided that:

(1) The site is capable of accommodating the increased intensity of use;

(2) The increased intensity of use does not cause an increase in traffic volumes beyond the capacity of the surrounding streets;

(3) Public utilities and services are adequate;

(4) For each additional story over three stories or for each additional ten feet above 35 feet, front and side yard setback requirements shall be increased by 5%; and

(5) The performance standards and criteria of §§ 152.070 through 152.074 of this chapter are considered and satisfied.

(B) The building height limits established herein for districts shall not apply to the following:

(1) Agricultural buildings on farm properties;

(2) Antenna support structures as regulated by §§ 152.330 through 152.337 of this chapter;

(3) Belfries;

- (4) Chimneys or flues;
- (5) Church spires;
- (6) Cooling towers;
- (7) Cupolas and domes which do not contain usable space;
- (8) Elevator penthouses;
- (9) Flagpoles;
- (10) Monuments;
- (11) Necessary mechanical and electrical appurtenances;
- (12) Parapet walls extending not more than three feet above the limiting height of the building;
- (13) Poles, towers and other structures for essential services; and
- (14) Wind energy conversion system towers.

5. 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.

6. The time limit for a decision on the Applicant's application will not expire until November 6, 2025.

7. City Code § 152.070

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.

8. City Code § 152.072 states, in relevant part:

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.

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 21st day of October, 2025

Matt Montgomery, Mayor

ATTEST: _____
Jon Radermacher, City Administrator

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Parcel 1:

That part of the Southwest Quarter of Section 1, Township 112, Range 18, Dakota County, Minnesota, lying east of the easterly right of way line of Trunk Highway No. 52.

TOGETHER WITH

Parcel 2:

That part of the Southeast Quarter of Section 1, Township 112, Range 18, Dakota County, Minnesota, lying south of County Road No. 86.

EXCEPTING

That part of the above described property being described as:

Commencing at the southeast corner of said Southeast Quarter of Section 1; thence North 00 degrees 16 minutes 48 seconds West, assumed bearing, along the east line of said Southeast Quarter, a distance of 425.92 feet to the point of beginning of the parcel to be described; thence North 89 degrees 36 minutes 26 seconds West, a distance of 230.40 feet; thence North 00 degrees 24 minutes 07 seconds West, a distance of 95.43 feet; thence North 89 degrees 36 minutes 26 seconds West, a distance of 373.66 feet; thence North 00 degrees 24 minutes 20 seconds West, a distance of 1312.91 feet to the southerly right of way line of said County Road No. 86, a.k.a. County State Aid Highway No. 86, as shown on Dakota County Right of Way Map No. 410, filed in the Office of the County Recorder in and for said Dakota County as Doc. No. 3040659; thence South 56 degrees 59 minutes 18 seconds East, along said southerly right of way line, a distance of 427.21 feet; thence North 00 degrees 17 minutes 07 seconds West, continuing along said southerly right of way line, a distance of 5.98 feet; thence South 56 degrees 59 minutes 18 seconds East, continuing along said southerly right of way line, a distance of 228.96 feet; thence southeasterly 71.36 feet, continuing along said southerly right of way line, along a tangential curve, concave to the southwest, having a radius of 1382.29 feet and a central angle of 02 degrees 57 minutes 29 seconds, to said east line of the Southeast Quarter; thence South 00 degrees 16 minutes 48 seconds East, along said east line, a distance of 1020.54 feet to the point of beginning

Dakota County, Minnesota

Abstract Property

Parcel 3:

That part of the following described property:

That part of Government Lot 10 in Section 6, Township 112 North, Range 17 West in Goodhue County and State of Minnesota lying West of the centerline of Old Highway 52, and more particularly described as follows, to-wit:

Beginning at the Northwest corner of said Lot 10; running thence South 20 chains to the Southwest corner of said Lot 10; thence East 22 chains and 50 links to St. Paul Road; thence North 46 degrees West 29 chains to the North line of said Lot 10; thence West 1 chain and 50 links to place of beginning, excepting therefrom the following:

Beginning at a point on the South line of said Government Lot 10, 22 chains and 50 links East of the Southwest corner thereof on the Westerly line of St. Paul Road; thence North 46 degrees West along said line for 18.6 chains to center line of former State Highway 52; thence Southeasterly along said center line for 11.4 chains, more or less, to the South line o Government Lot 10; thence East along said South line 7.3 chains, more or less, to place of beginning.

Being described as:

Beginning at the southwest corner of said Government Lot 10; thence North 00 degrees 16 minutes 48 seconds West, assumed bearing, along the west line of said Government Lot 10, a distance of 425.92 feet; thence North 39 degrees 30 minutes 44 seconds East, a distance of 725.47 feet to the centerline of Goodhue County Road No. 29; thence South 31 degrees 00 minutes 01 second East, along said centerline, a distance of 1150.61 feet to the intersection of said centerline with the south line of said Government Lot No. 10 in Section 6, Township 112, Range 17; thence North 89 degrees 57 minutes 51 seconds West, along said south line, a distance of 1052.11 feet to the point of beginning.

Goodhue County, Minnesota
Abstract Property