

**Cannon Falls Planning Commission
Regular Meeting
City Hall Council Chambers
January 14, 2019**

MEMBERS PRESENT: Acting Chair Bruce Hemmah; Commissioners Steve Gesme, Derek Lundell, and Josh Witt.

MEMBERS ABSENT: Chair Pidd and Commissioners Glen Lundell and Mike Daniels

OTHERS PRESENT: Samantha Pierret, Zoning Assistant / Staff Liaison

1. CALL TO ORDER

Acting Chair Hemmah called the meeting to order at 6:30 p.m.

2. ROLL CALL

Roll call was conducted. Acting Chair Hemmah; Commissioners D. Lundell, Witt, and Gesme were present; Chair Pidd and Commissioners G. Lundell and Daniels were absent.

3. APPROVAL OF THE AGENDA

A motion was made by Commissioner D. Lundell, seconded by Commissioner Gesme and unanimously carried, to approve the agenda.

4. APPROVAL OF MINUTES:

A. December 10, 2018, Planning Commission Meeting Minutes.

A motion was made by Commissioner D. Lundell, seconded by Commissioner Witt and unanimously carried, to approve the meeting minutes.

5. PUBLIC INPUT

No one came forward to speak with regard to items not listed on the agenda.

6. PUBLIC HEARING:

A. Conditional Use Permit, Cannon Mall Storage.

Chair Hemmah opened the Public Hearing at 6:33 p.m.

Zoning Assistant Pierret provided background information regarding the proposed mini self-storage facility. She clarified that the storage unit use requires a Conditional Use Permit, not the structures.

Jim Burkhardt spoke on behalf of the applicant, Ed Rymer, who is currently residing in Florida for the winter. He indicated that Mr. Rymer had spoken with him and with Zoning Assistant Pierret. Mr. Rymer did not understand that he needed a permit, as the units already existed and apologized for the misunderstanding. Mr. Burkhardt provided background information. He stated that when the mall was built, the property was located outside of the City limits and was built according to the Cannon Falls Township Building Code and the Goodhue County Building Code. He discussed the annexation process for this property along with the extension of utility services, which resulted in significant assessments. He discussed how the applicant has coped with declining retail trends by selling off parts of the mall property and exploring new uses.

Mr. Burkhardt stated that it would be in the City's best interest for the mall property to survive. He reviewed the self-storage facility proposal. He indicated that the other tenants and the bank have expressed no concerns about the proposal. He discussed access to the units by emergency vehicles. He referenced a staff report indicating that the parameters of the proposed project would fall within the Ordinance. He stated that there are no public safety concerns and adequate parking. He described the proposal as a win-win for both the applicant and the City in term of cash flow.

Mr. Burkhardt referenced initial discussions about the location of the Highway 52 interchange and reviewed some of the negative impacts.

On behalf of Mr. Rymer, Mr. Burkhardt requested that the Planning Commission accept the staff report and recommend approval of the CUP.

No one else came forward to speak during the Public Hearing. Acting Chair Hemmah closed the Public Hearing at 6:46 p.m.

7. DISCUSSION ITEMS:

A. Resolution 2019-1 CUP Cannon Mall Storage.

Commissioner D. Lundell referenced the Ordinance language, which indicates that there must be 25% open green space that is seeded or sodded. He stated that the proposed area has no green space.

Zoning Assistant Pierret clarified that the green space requirement pertains to the entire property, noting that all of the acreage on the northwest side is green space and is enough to account for that requirement.

Acting Chair Hemmah raised issues relating to security and access in the winter. Mr. Burkhardt stated his understanding that the access road is private property and not a dedicated City street.

Acting Chair Hemmah asked whether the entire space will be filled up with storage units. Mr. Burkhardt stated that Mr. Rymer has no intent to do this at this time and wants to see whether the concept will work.

Acting Chair Hemmah asked about access to the individual storage units in the winter. Mr. Burkhardt stated that there is a lot of room to push snow.

Acting Chair Hemmah asked about additional security lighting. Mr. Burkhardt stated that it is fairly well lit now, adding that more lighting could be installed by Mr. Rymer. Security considerations were discussed.

Acting Chair Hemmah asked whether storage units would be built inside the mall, if it does not thrive in its current form. Mr. Burkhardt reviewed potential scenarios. Acting Chair Hemmah gave Mr. Rymer credit for thinking outside the box to try to find a way to maintain cash flow for the property. Mr. Burkhardt discussed the possibility of climate-controlled storage units, noting that this concept would require more discussion with the Planning Commission. He described the economic dead zone that resulted from the closing off of access to Highway 52.

Commissioner Gesme expressed concerns that other storage facility owners might have in terms of property taxes. Zoning Assistant Pierret stated that she has received no input from other storage facility owners.

Commissioner Gesme stated that if the proposal conforms to the Zoning Code and would help keep the mall's doors open, he had no concerns. He suggested limiting the number of storage units. The property valuation process was discussed.

Acting Chair Hemmah asked whether Mr. Rymer has actively started to market the units. Mr. Burkhardt indicated that the applicant is ready to market them but has not done so yet.

Acting Chair Hemmah expressed agreement that at least there would be some tax value to the City. Commissioner Gesme stated that the Commission represents the City and expressed concerns about property tax revenue. Commissioner D. Lundell discussed the benefits of keeping the mall open. Acting Chair Hemmah commented that a lot of empty buildings eventually become nontaxable businesses. Mr. Burkhardt discussed the outstanding assessments against the property and the role of the Planning Commission relative to the CUP.

Commission Witt questioned whether the proposed facility would compete with a traditional storage unit business model. Mr. Burkhardt discussed the capacity of some of the units and agreed that there would be some competition. He stated that Mr. Rymer is trying to find potential uses for the property, in order to try to maintain cash flow.

Commissioner Gesme asked whether a motion to recommend approval of the CUP could include a limit on the number of units. Zoning Assistant Pierret stated that if Mr. Rymer wanted to expand, he would have to come back to amend the CUP. She indicated that the number of units could be limited to 35, unless the CUP is amended with Planning Commission and City Council approval. Mr. Burkhardt stated that Mr. Rymer understands this.

Commissioner Gesme asked whether there would be confusion on the part of Rancho Loco customers. Mr. Burkhardt stated that he as well as Mr. Rymer talked with the owners of Rancho Loco, who felt that anything to increase traffic in the mall area would be beneficial. He suggested better signage for Rancho Loco.

A motion was made by Commissioner Witt to recommend approval of the Conditional Use Permit for Cannon Mall Storage. The motion was seconded by Commissioner D. Lundell, a vote was taken, and the motion carried unanimously.

B. Building Relocation Permits.

Zoning Assistant Pierret provided background information on moving in homes. She stated that the City Code does not specify any differences in between moving in a modular home as opposed to a used home. She requested Planning Commission consensus with regard to three items:

1. Whether the Zoning Ordinance should be amended to either define modular homes versus already used homes, requiring a used home to obtain a CUP.

2. If the CUP requirement should be eliminated in lieu of an administrative process. Zoning Assistant Pierret referenced information from other communities.
3. If the process should be kept as is, with a CUP required for all homes that are brought into the City.

Acting Chair Hemmah asked about simplifying the process. Zoning Assistant Pierret discussed a process that could be employed for modular homes.

Commissioner D. Lundell stated that he had asked to have this issue brought up. He stated his opinion that if you buy land, whether you build a stick-built house on the site or you bring in a modular home, you still need to obtain the permits and adhere to zoning and setback requirements. He noted that the way it is now, there are two additional unnecessary hoops that people have to jump through to bring in a modular home:

1. Bring it to the Planning Commission to a Public Hearing, which can take a few weeks to schedule.
2. Bring it to the Council, which can take another two weeks to a month.

Commissioner Gesme stated that there would still be a process but that it would not have to come through the Planning Commission.

Acting Chair Hemmah asked why there would be opposition to streamlining the process.

Assistant Pierret stated she needed consensus from the Planning Commission for a recommended Ordinance change.

Commissioner Witt referenced past discussion of a specific lot and complaints by the neighbors. Zoning Assistant Pierret stated that the lot had been vacant for 30-plus years and would be a change to the neighborhood. She noted that drainage was a big issue, due to the topography of the lot. She stated that all of this would be addressed by a zoning review, without the need for a Public Hearing.

Commissioner D. Lundell stated that the complaints were not so much about bringing a house in, they were about building something in general. He commented that the neighbors wanted the lot to stay vacant.

Commissioner Gesme discussed the importance of water flowing away from other properties. He expressed agreement that any home plan would need to meet all of the requirements.

Zoning Assistant Pierret stated she will bring a retooled Ordinance to the next Planning Commission meeting for approval.

8. PLANNING COMMISSION MEMBER COMMENTS

Commissioner D. Lundell and Acting Chair Hemmah welcomed Commissioner Witt to the Planning Commission.

Commissioner Gesme commented that Planning Commissioners get to be the first ones to hear what is next for the City and what is coming up for the Council.

9. ADJOURN

A motion was made by Commissioner D. Lundell, seconded by Commissioner Gesme and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:13 p.m.