

**Cannon Falls Planning Commission
Regular Meeting
City Council Chambers
July 8, 2024**

COMMISSIONERS PRESENT: Chair Steve Gesme, Commissioners Diane Johnson, Chris Nobach, and Jesse Fox

COMMISSIONERS ABSENT: Commissioner Bruce Hemmah

OTHERS PRESENT: Neil Jensen, City Administrator; Zach Logelin, Permit & License Technician

1. CALL TO ORDER

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

2. ROLL CALL

Roll call was conducted. Chair Gesme and Commissioners Johnson, Fox, and Nobach were in attendance.

3. APPROVAL OF AGENDA

Chair Gesme noted that three separate public hearings would be conducted, one for the proposed rezoning and two for the proposed Conditional Use Permits.

A motion was made by Commissioner Johnson, seconded by Commissioner Fox and unanimously carried, to approve the agenda as amended.

4. APPROVAL OF MINUTES: June 10, 2024

A motion was made by Commissioner Nobach, seconded by Commissioner Johnson and unanimously carried, to approve the meeting minutes as drafted.

5. PUBLIC INPUT

There was no public input regarding items not listed on the agenda.

6. PUBLIC HEARINGS

A. Rezone, Bethel's Rock Church.

Permit & License Technician Logelin provided background information and referenced discussion during a recent Planning Commission meeting. He stated that Bethel's Rock Church has inquired about the possibility of starting a church at 32057 64th Avenue, which is currently zoned B-2. He noted that religious institutions or churches are not allowed in B-2 zoning districts as permitted or conditional uses. He noted that Bethel's Rock Church subsequently submitted an application to rezone the property from B-2 Highway Business to RB Residential Business. He noted that religious institutions and churches are allowed in RB zoning districts as a conditional use.

Chair Gesme opened the Public Hearing for this item at 6:33 p.m.

Brandon Allison introduced himself as the Lead Pastor of Bethel's Rock Church – Cannon Falls. He reported that the church, which had previously been affiliated with other Bethel's Rock Church locations, is now its own entity. He provided additional information and rationale for the proposed rezoning application. He reviewed plans to utilize half of the space as a church and rent the lower level of the building to the Grand O2 Event Center. He noted that a partial tax exemption would be requested. He stated that the site has adequate parking spaces. He discussed other uses for the facility, in addition to church services, including meetings and counseling sessions.

No one else spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:37 p.m.

B. Conditional Use Permit, Bethel's Rock Church.

Chair Gesme opened the Public Hearing for this item at 6:38 p.m.

Pastor Allison indicated that, if the rezoning is approved, a Conditional Use Permit would be requested to operate the facility as a church.

No one else spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:39 p.m.

C. Conditional Use Permit, Grand O2 Event Center.

Chair Gesme referenced a Conditional Use Permit application for the Grand O2 Event Center to operate at 32057 64th Avenue. He opened the Public Hearing for this item at 6:40 p.m.

Bruce Ohmann introduced himself as the owner of the Grand O2 Event Center. He explained that if the rezoning is approved, a Conditional Use Permit will be required to continue operations.

No one else spoke during the Public Hearing. The Public Hearing was closed at 6:41 p.m.

7. DISCUSSION

A. Rezone, Bethel's Rock Church.

Commissioner Fox expressed concerns regarding the rezoning request. He discussed spot zoning and referenced potential future uses for the property if it is sold. He stated his position that the proposed site is the wrong location for the church because of the current zoning. He suggested that the church consider other potential locations.

Commissioner Nobach expressed concerns about the proposed rezoning, adding that he did appreciate the fact that the building would be repurposed as opposed to being vacant.

Commissioner Nobach asked whether the Grand O2 Event Center would be able to continue its existing business operations, noting that the business currently has a liquor license. Permit & License Technician Logelin stated his understanding that the Grand O2 Event Center would need to re-apply for a liquor license and would be able to continue operations if the license application is approved.

Commissioner Nobach commented that there are no nearby residences and agreed that the proposed rezoning would constitute spot zoning.

Commissioner Johnson also expressed agreement with concerns about spot zoning. She commented regarding the area and referenced the City's Comprehensive Plan.

Chair Gesme also spoke in opposition to the rezoning request. He expressed concerns about spot zoning and cautioned against establishing a precedent or treating applications differently.

Pastor Allison expressed agreement that spot zoning is not optimal, noting that this was the approach that was suggested. He commented that religious institutions are only allowed in the R-1, R-2, and R-3 zones with a Conditional Use Permit. He stated that other potential sites would be cost prohibitive. He asked about the possibility of allowing religious institutions in B-2 zones. City Administrator Jensen indicated that a request to consider this could be submitted. Pastor Allison indicated that such a request would be made prior to the next Planning Commission meeting.

Following discussion Chair Gesme made a motion to deny the rezoning request. The motion was seconded by Commissioner Johnson, a vote was conducted, and the motion carried unanimously.

B. Conditional Use Permit, Bethel's Rock Church.

A motion was made by Chair Gesme, seconded by Commissioner Fox and unanimously carried, to deny the Conditional Use Permit application.

C. Conditional Use Permit, Grand O2 Event Center.

A motion was made by Commissioner Johnson, seconded by Commissioner Nobach and unanimously carried, to deny the Conditional Use Permit application.

Chair Gesme requested that the City Attorney draft Findings of Fact to support the denials.

D. Discuss Change of August Planning Commission Meeting Date.

It was noted that the Primary Election will be held on August 12, necessitating a meeting date change. It was agreed to schedule the next Planning Commission meeting on Monday, August 19.

City Administrator Jensen suggested extending the application period from 60 days to 120 days, to allow adequate time to finalize the Planning Commission's actions relating to the applications. A motion was made by Commissioner Johnson, seconded by Chair Gesme and unanimously carried, to extend the application period to 120 days.

8. ADJOURN

A motion was made by Commissioner Fox, seconded by Commissioner Johnson and unanimously carried, to adjourn the meeting. The meeting adjourned at 7:03 p.m.