

**Cannon Falls Planning Commission
Regular Meeting
City Council Chambers
September 9, 2024**

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

COMMISSIONERS ABSENT: All members were in attendance

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

Chair Gesme and Commissioners Hemmah, Fox, Johnson, and Nobach were in attendance.

3. APPROVAL OF AGENDA

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

4. APPROVAL OF MINUTES: August 19, 2024

A motion was made by Commissioner Nobach, seconded by Commissioner Fox 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 HEARING

A. Conditional Use Permit, Residential Eating Disorder Facility.

Permit & License Technician Logelin discussed a Conditional Use Permit application to allow a residential eating disorder facility in the R-B zone at 300 Dow Street North. He stated that, per the amended ordinance, rehab centers are allowed with a CUP in the B-2 zone. He noted that residential facilities are a permitted use in all residential zones except for the R-B zone. He referenced a list of permitted and conditional uses.

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

Casey Krie, 1221 State Street West, Cannon Falls, expressed concerns regarding the current condition of the property under discussion. She stated that she would support the CUP request if the property is brought up to City Code standards.

Jonathan Katz, New York resident, representing the applicant, expressed agreement that the building is currently not habitable. He stated that the applicant plans to meet all requirements for a State-licensed facility.

No one else spoke during the Public Hearing. Chair Gesme closed the Public Hearing at 6:35 p.m.

7. DISCUSSION

A. Conditional Use Permit, Residential Eating Disorder Facility.

Commissioner Johnson requested clarification of the zoning regulations governing the R-B zone. Mr. Logelin indicated that sufficient information has not been submitted to justify that the proposed use fits with one of the permitted or conditional uses in the R-B zone.

Chair Gesme referenced the rehab facility ordinance that was adopted in May of 2024. Mr. Logelin stated that it is up to the applicant to provide sufficient information to support consideration of the proposed land use as a permitted or conditional use in the R-B zone.

Commissioner Nobach stated his understanding that the current ordinance language does not allow rehab centers or residential facility uses in the R-B zone.

Mr. Logelin referenced City Code section 152.608 relating to conditional uses in the R-B district. He reiterated that the applicant has not provided sufficient information to support an allowed conditional use under this section of the City Code. Commissioner Hemmah referenced the City Code language in this section that relates to nursing homes or senior housing uses, noting that residential rehab centers are not included in the list of conditional uses in the R-B zone.

City Administrator Jensen further discussed residential rehab center uses and defined eating disorder facilities.

Commissioner Johnson commented that a CUP application for an eating disorder facility could be considered in other residential zones.

Mr. Katz stated that the proposed facility would not be a residential rehab center and would not treat individuals with substance or alcohol abuse disorders. He referenced the definition for a State-licensed residential facility. Mr. Logelin clarified that residential facilities are allowed as conditional uses in residential zones, except for the R-B zone. He noted that hospital uses are allowed as conditional uses in the R-B zone. Mr. Katz provided additional information regarding the project team. He stated that the proposed facility would be similar in definition to a nursing home.

When asked whether the facility is affiliated with a hospital, Mr. Katz stated that the facility would eventually seek to be affiliated with an area medical facility, such as the Mayo Clinic.

Mr. Katz clarified that the applicant does not currently own the property under discussion, pending approval of the Conditional Use Permit.

Commissioner Fox asked about the State licensing process. Mr. Katz discussed inspections, staffing ratio analysis, and other requirements for licensure as a residential facility. Commissioner Fox described the situation as a slippery slope. He expressed concerns that an eating disorder facility, once approved, may evolve into providing other types of psychiatric treatment.

Batsheva Katz, also representing the applicant, provided additional information. She stated that eating disorder facilities are very strictly regulated. She commented that a group of people with eating disorders would be living together and treated for those disorders. She reiterated that clients would not be treated for alcohol or substance abuse disorders.

Commissioners Fox and Johnson referenced the ordinance language and compared the proposed facility to a rehab facility use, which is not allowed in the R-B zone.

A motion was made by Chair Gesme to adopt Resolution 2024-15, which would recommend denial of the Conditional Use Application for an eating disorder facility in the R-B zone. The motion was seconded by Commissioner Hemmah, a vote was conducted, and the motion carried unanimously. Chair Gesme indicated that Findings of Fact to support the denial of the CUP application will be forwarded to the City Council.

8. ADJOURN

Prior to adjournment, the upcoming meeting schedule was discussed. City Administrator Jensen indicated that there was a schedule conflict on October 14 and requested rescheduling this meeting on October 21. It was also noted that the second Monday in November falls on Veterans Day. It was suggested to schedule the November Planning Commission meeting on November 18.

A motion was made by Chair Gesme, seconded by Commissioner Johnson and unanimously carried, to adjourn the meeting. The meeting adjourned at 6:55 p.m.