

CITY OF CALEDONIA, MINNESOTA

RESOLUTION 2019-010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEDONIA,
MINNESOTA APPROVING THE REQUEST FOR AMENDMENT OF A
CONDITIONAL USE PERMIT ALLOWING USE OF THE PROPERTY
AT 611 VISTA DRIVE FOR AN OFFICE**

WHEREAS, the applicant, Houston County, Minnesota, seeks to amend a conditional use permit previously approved by the Caledonia City Council on July 13, 2009, under Caledonia City Code Section 153.415, to use the property at 611 Vista Drive (“Property”), located in a B-2, Highway Business District, as an office; and,

WHEREAS, the prior conditional use permit required Houston County to provide a 40-stall parking lot on the property owned by Houston County at Parcel ID Number 210907002; and,

WHEREAS, the previously approved conditional use permit is attached hereto as Exhibit A; and,

WHEREAS, Houston County is seeking to amend the conditional use permit to allow Houston County to sell Parcel ID Number 210907002, location of the 40-stall parking lot, and to satisfy the City’s parking requirements by leasing 25 stalls on the property having parcel ID 210907001 for a term of at least 10 years and by restriping the property at 611 Vista Drive to increase the number of parking stalls from 8 to 16; and

WHEREAS, on July 8, 2019, the City Council held a public hearing on this application in the City Council Chambers, City Hall, 231 East Main Street, Caledonia, Minnesota, which was properly noticed to the public;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALEDONIA, that the City Council makes the following findings regarding the application for an amended conditional use permit:

The proposed use will not create issues for the health, safety, morals, and general welfare of the occupants of the surrounding lands; and

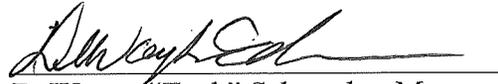
- (i) The use will not create an excessive burden on existing parks, schools, and other public facilities and utilities that serve the area because the proposed use will be served by a parking area that already has a parking lot; and
- (ii) The use is sufficiently compatible or separated by distance or screening from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will not be deterrence to the development of vacant land because the nearby mobile homes are located on property that already has a low value; and
- (iii) The structure and site will have an appearance that will not have an adverse effect upon adjacent residential properties; and

- (iv) The proposed use is reasonably related to the overall needs of the City and to the existing land use because the building has been used as an office building since 2009; and
- (v) The use is consistent with the purposes of the zoning chapter of City Code and the purposes of the B-2, Highway Business District; and
- (vi) The use is not in conflict with the comprehensive plan of the City; and
- (vii) The use will not cause traffic hazards or congestion if the County leases 27 parking stalls; and
- (viii) Adequate utilities, access roads, drainage and necessary facilities are present; moreover, the parking lot where the County is leasing stalls has no utilities and there are two ways in and out of the parking lot; and

BE IT FURTHER RESOLVED that applicant Houston County is hereby granted an amended conditional use permit to use the Property as an office building, pursuant to Caledonia City Code Section 153.138 and Minnesota Statutes Section 462.3595, subject to the following conditions:

- 1) As a condition of the issuance of this permit, the parking requirements set forth in City Code Section 153.31(C) must be satisfied by the following:
 - a) The County must lease 27 stalls on the property having parcel ID 210907001; and
 - b) The parking stalls leased by Houston County on parcel ID 210907001 must be designated as parking for Houston County Public Health employees and visitors by signage limiting the use of those spaces for such employees and guests of Houston County, and this parking cannot be used to meet the parking requirements for any buildings or uses on the property at 210907001; and
 - c) Houston County's lease of 27 stalls on parcel ID 210907001 must be assignable to and enforceable against any future owners of the property at 611 Vista Drive.
- 2) As a condition of the issuance of this permit, at all times in perpetuity the use of the building at 611 Vista Drive must be in compliance with all City Code provisions.

ADOPTED by the Caledonia City Council this 22nd day of July, 2019.


DeWayne "Tank" Schroeder, Mayor

ATTEST:


Adam G. Swann, Clerk/Administrator

Exhibit A

Conditional Use Permit Approved by Caledonia City Council on July 13, 2009

Caledonia City

DOCUMENT NO. **257931** NUM
 Office of County Recorder SCAN
 Houston County, Minnesota TRACT
 VERIFY

I hereby certify that the within instrument was
 recorded on July 22, 2009
 at 1:30 P.M.
 Beverly J. Bayer, County Recorder
 By Sheraldine K. Flug
 Recorder Deputy

257931

CITY OF CALEDONIA BOARD OF APPEALS/CITY COUNCIL
 APPROVED
 VARIANCE/CONDITIONAL USE PERMIT

On this 21st day of July, 2009, following a public hearing held in the City Council Chambers, City Hall, 231 East Main Street, Caledonia, Minnesota, on June 22 and July 13, 2009, and/or a public hearing held before the Zoning and Planning Commission on June 22 and July 13, 2009, the City Council granted a Conditional Use Permit to:

Houston County
 304 South Marshall Street
 Caledonia, MN 55921

from the requirements of the City of Caledonia Zoning Ordinance in accordance with the provisions of that same Ordinance and pursuant to the requirements of Chapter 394.27, Subdivision 8, Minnesota Statutes.

The Conditional Use Permit is granted for, and is limited to the following condition:

1. Conditional Use Permit for office space in a B-2 Highway Business District
2. Conditional Use Permit for a 40 stall parking lot (16,479 square lot) in a R-2 Urban Residential Zone.
3. A 1 foot variance on length of the parking stall; from a 20 foot standard to 19 feet in length.

The affected parcel (abstract) of land is legally described as follows:

"Beginning at the southwest corner of said Outlot "E", thence along the south line thereof on a bearing based on the recorded first addition to the Foltz Addition to the City of Caledonia of S 85 degrees 32 minutes 56 seconds E 183.09 feet; thence N 05 degrees 05 minutes E along a line that is parallel to the east line of said Outlot "E" 117.24 feet to the south line of Vista Drive; Thence along the south line of Vista Drive on the arc of a 130.00 foot radius nontangential curve, concave to the north, the chord of which bears N 70 degrees 51 minutes 08 seconds W and measures 68.12 feet; thence continuing along said south line N 55 degrees 39 minutes 45 seconds W 42.68 feet to its intersection with the easterly right of way line state highway #44; thence

STATE OF MINNESOTA)
COUNTY OF HOUSTON)
CITY OF CALEDONIA)

I, Adam Swann, city clerk and administrator of the City of Caledonia, do hereby certify that this is a true and correct transcript of the resolution that was adopted at a meeting held on the 22nd day of July, 2019, the original of which is on file in this office. I further certify that 3 members voted in favor of this resolution and that 4 members were present and voting.

Signed Adam Swann

Date July 24, 2019