



PLANNING COMMISSION MEETING MINUTES

MONDAY, May 2, 2022

6:00 PM

1. Call to Order/Approve Agenda

Vice Chair Campbell called the meeting to order at 6:07 p.m.

Members present were Commissioner Jackson, Commissioner Temple, Commissioner White and Vice Chair Campbell.

Members Absent: Commissioner Albers and Chair Ackman

Commissioner Temple made a motion to approve the agenda, seconded by Commissioner Jackson. Motion carried unanimously.

2. Approve the April 18, 2022 Regular Meeting Minutes.

Vice Chair Campbell requested a motion to approve the meeting minutes of April 18, 2022 which was brought by Commissioner Temple and seconded by Commissioner Jackson. Motion passed unanimously.

3. Public Hearings

A. Approve Preliminary Plat and Final Plat of CANNON RIVER VIEW (continued from April 18, 2022)

Rice County, and Steven E. Patee and Mary Ann D. Patee, and Paul W. Friesen and Wanda K. Friesen (collectively, the "Applicant") have requested preliminary plat and final plat approvals of CANNON RIVER VIEW east of State Highway 3 and 30th Street NW. The proposed Rice County Public Safety Center is the impetus for the proposed plat. However, the proposed CANNON RIVER VIEW plat also includes industrial, residential, and open space parcels.

The proposed CANNON RIVER VIEW plat is consistent with the City's comprehensive plan and ordinances per Resolution 2022-086 and Ordinance 2022-9, respectively. The proposed plat is also consistent with the City's subdivision regulations. The public improvements associated with the proposed plat are outlined in an approved memorandum of understanding between Rice County and the City of Faribault.

After Wanberg's presentation, Vice Chair Campbell brought the matter up for

the single-family residence into a place of assembly for church-related events. The proposed change of use requires an amendment to the PUD.

The Applicant envisions that the proposed place of assembly will be an interim use that will be removed once the ballfields associated with the planned schools shown in the PUD Master Plan are constructed. However, the proposed place of assembly may remain for ten or more years. Given the envisioned temporary nature of the use, the Applicant would prefer that the City waive curbing requirements associated with the required paved parking area. However, the City has consistently required other redevelopment sites to bring nonconforming conditions closer to conformity. Consequently, Staff recommends flexibility to allow the proposed use (even though the use is not served by municipal sewer and water), but require the use to provide adequate parking on a hard surface with concrete curb. Staff also recommends limiting the number of people that can occupy the structure and related to site to 50 people.

In a related matter, someone from the public notified the City that the Applicant did not remove the existing private drive between the existing single-family residence and the existing church as required by the PUD. Consequently, the Applicant has agreed to rectify this issue immediately.

During Wanberg's presentation he outline the Conditions of Approval for the Conditional Use Permit which were 1. Occupy of the structure site cannot exceed 50 people; 2) Appliance must confirm septic system is compliant and sized for that occupancy; 3) Applicant must confirm that well is compliant and will be tested per regulations; and, the site must provide a minimum of 12 code compliant parking spaces. No parking shall be allowed on the lawn or County Highway. Other conditions of Approval are 1. Appliance must obtain all required permits from Rice County Highway Department; 2. The access must serve only the former residence and cannot be used for vehicular circulation serving the church or future school; 3. Applicant must remove the illegal drive or fully present its. It must be fully removed by October 31, 202; and finally, 4. Any change or intensification of use required a PUD amendment. Proposed parking may need to be revised.

This area is intended for a short-term use which could be another 20 years.

The matter came back to the board for discussion. Commissioner asked if a daycare could be there. Wanberg responded not without amending the PUD. It can only be used for a study use. Commissioner Jackson asked brought up the curbs to keep people off the grass. Wanberg spoke about the stormwater runoff and they've requested no curb and staff said you still need to meet our ordinance. Staff is in the position of following the ordinances. There are options that the Planning Commission can recommend be put in. Commissioner White agrees with staff to put the curb in. Given the history of violations and any other business we've worked with the past he would not vote for this without the curbing. Commissioner Temple asked why people cannot park on the grass. DuChene said that he wasn't too sure but that the curb does create a way to manage the stormwater. Commissioner White added that curbing

seconded the motion which would be to recommend that the City Council approve Ordinance n2022-x Amend the Development Standards Outlined in Section 3 of Ordinance 2007-19 Rezoning of Real Property to Create a Planned Unit Development Mixed-Use for Divine Mercy Catholic Church with the added conditions for approval. Commissioner Temple offered that that he has some hesitation but will support this. Vice Chair Campbell then asked for a vote which carried unanimously.

D. Final Plat approval of RSA Properties LLC Subdivision at 1919 2nd St NW, PID # 18.36.2.50.01

On February 22, 2022, the Faribault City Council approved Resolution 2022-045, which approved a preliminary plat for 1919 2nd Street NW. Rick Amundson (the "Applicant") on behalf of Sun Companies, LLC (the Owner of 1919 2nd Street NW - C&S Vending) has now requested final plat approval of RSA PROPERTIES LLC SUBDIVISION. The proposed final plat is consistent with the preliminary plat. City Staff recommends approval of the proposed plat. Presuming the City Council approves the final plat and related development agreement, the Applicant intends to submit an application later this year for a multi-family development on the proposed Lot 2, Block 1 of the plat. There are encroachments from the property next to the lot which would need to be addressed before they can issue any building permits.

Vice Chair Campbell brought the matter up for discussion. With none, Vice Chair Campbell opened the matter up for public hearing at 7:03 and no one came forward and closed the public hearing at 7:04. There was no further discussion so Commissioner Temple made a motion and it was seconded by Commissioner Jackson to recommend that the City Council approve Resolution 2022-xxx Approve Final Plat of RSA PROPERTIES LLC SUBDIVISION. Motion carried unanimously.

E. Conditional Use Permit for single-family residential use in the C-2, Highway Commercial District at 930 1st St. NE, PID # 18.32.2.75.006

Mr. Waldock handled this presentation regarding Richard and Angela Jeanes who are seeking a CUP for Single Family use in the C-2 Highway Commercial District at 930 1st St. NE. As part of the residential use they plan to operate a licensed home daycare at the site. They operate an in-home Daycare now and are seeking to convert the former shop area for daycare use. The site is currently zoned C-2 Highway Commercial District. The property has a single-family dwelling with the former repair shop in the lower level. The previous occupant had lived on premise and operated a business there as well, but a Conditional Use Permit (CUP) now required for residential uses in this district had not previously been issued by the City for this site. There are for non-standard conditions recommended by the DRC which were 1. Complete remodeling per codes; 2. Obtain permits prior too further construction; 3. CUP void if not completed within one year; and 4) to maintain property in good order. As well as the six standard conditions applicable.

Vice Chair Campbell brought the matter back for discussion. Jackson wanted to make