



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, JULY 18, 2022

6:00 PM

1. Call to Order
2. Approval of the Minutes of June 6, 2022 Meeting
3. Public Hearings
 - A. Applications Related to Development of a New Auto Body Repair Business and Car Sales Lot at 2005 2nd Avenue NW
 - i. Application for Vacation of an Un-needed Public Drainage and Utility Easement on Lot 1, Block 1, Kuntze Addition
 - ii. Application for Preliminary and Final Plat Approval of MAB Addition
 - iii. Application for a Conditional Use Permit for Major Auto Repair in the C-2 Highway Commercial District for Malecha Auto Body at 2005 2nd Avenue NW
 - iv. Application for Conditional Use Permit for Development in the Shoreland Overlay District at 2005 2nd Avenue NW
 - B. Vacation, Preliminary and Final Plat, Comprehensive Plan Amendment, Rezoning, and Conditional Use Permits related to the Proposed RIVERCHASE ADDITION Plat and Development
4. Adjournment
5. Board and Commission Reports, Announcements and Updates

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.



PLANNING COMMISSION MEETING MINUTES

MONDAY, June 6, 2022

6:00 PM

Members present were Commissioner Campbell, Commissioner Jackson, Commissioner Temple, Commissioner White and Chair Ackman

Members Absent: Commissioner Albers

1. Call to Order\Approve Agenda

Chair Ackman called the meeting to order at 6:00 p.m. No motion was made to approve the agenda.

2. Approve the May 16, 2022 Regular Meeting Minutes.

Chair Ackman requested a motion to approve the meeting minutes of May 16, 2022 which was brought by Commissioner Jackson and seconded by Commissioner Campbell as written. Motion carried on a 5/0 vote.

3. Public Hearings

Wanberg gave a presentation regarding three items for the Former Johnston Hall. Johnson Hall was demolished for life safety issues. Was on the National Historic Register so there is an overlay district which needs to be removed since there is no longer a historic building on the site. Will also be need to be delisted on the national register. Next action will be to rezone the underlying zoning to P/I. Third action is to take all the language relative to Johnston Hall. Following that Chair Ackman brought the matter back for discussion. Chair Ackman stated that these are just a part of the PUD and Wanberg confirmed. Chair Ackman also stated that the memorial site is nowhere near where the Johnston Hall was. Wanberg confirmed. Chair Ackman opened the matter up for public hearing at 6:07 regarding these issues. No one came forward. Closed the public hearing at 6:08 and called for separate motions as follows:

A. A City-Initiated Application to Remove the Heritage Preservation Overlay Zoning District from the Site of the Former Johnston Hall on the Allina Health System Campus at 633 1st Street SE

Commissioner White brought a motion to recommend approval to Remove the Heritage Preservation Overlay Zoning District from the City of the former Johnson Hall on the Allina Health System at 633 1st St SE, seconded by Commissioner Campbell. Motion

carried on a 5/0 vote.

B. A City-Initiated Application to Rezone the Underlying Zoning District of the Allina Health System Campus to P/I, Public/Institutional

Commissioner White then brought a motion to recommend approval to Rezone the Underlying Zoning District of the Allina Health System Campus to P/I, Public/Institutional, seconded by Commissioner Campbell. Motion carried on a 5/0 vote.

C. An Application to Rezone the Allina Health System Campus to the PUD Overlay Zoning District #2022-__ and Approve the Related Development Plan for the Allina Health System Campus

Commissioner Campbell brought a motion to recommend approval to Rezone the Allina Health System Campus to the PUD overlay Zoning District and recommend approval of the Related Development Plan for Allina Health System Campus, seconded by Commissioner Jackson, motion carried on a 5/0 vote.

D. Rezone the Properties at 1001, 1101, and 1105 Division Street West from I-2, Heavy Industrial to C-2, Highway Commercial

Wanberg began this presentation explaining the need to change the zoning for the newly intended use which is consistent with the 2040 Comprehensive Plan. Most of the uses are geared towards offices. Comp Plan does look for a commercial/resident mix which will fit in the C2. No questions from Commission. Chair Ackman opened the public hearing at 6:13. Patty Hanscom with 1105 Division came forward and asked what kinds of uses can be on that site if they move out. Wanberg said that it opens it for a variety of uses and referred to 4th street. Chair Ackman then closed the public hearing at 6:15 p.m. and brought it back to the Commission for further discussion. Chair Ackman confirmed that this zoning reflects more of the current uses.

A motion was brought by Commissioner Temple, seconded by Commissioner Jackson to recommend approval to Rezone the Properties at 1001, 1101, and 1105 Division Street West from I-2, Heavy Industrial to C-2, Highway Commercial as presented. Motion carried on a 5/0 vote.

E. Conditional Use Permit and Variance applications to construct an oversized residential accessory structure at a height of 18.5 feet, where 16' is the maximum permitted and a floor area of 1,200 square feet where 1,080 square feet is the maximum permitted, in the TUD Transitional Urban Development District at 2518 14th Street NE.

- i. Application for Variances from Requirements for Residential Accessory Structure Requirements for Building Height and Building Area to permit construction of New Garage at 2518 14th St. NE.**

ii. Application for a Conditional Use Permit for a New Garage of Greater Than 864 Square Feet in Area at 2518 14th St. NE

Waldock began his presentation. Current zoning is a TUD which then would require a CUP for residential and other buildings. This is 4.6 acres, there was a previous garage 24 x 40 which has been removed and 16' tall. The new application is for a 30 x 40 sf. Normally the city would allow them to rebuild at the same dimensions. The proposed garage will be 18' tall for storage and be able to stand up on the second level. This will be a full height ceiling in the new garage. There are similar sited lots on the east and south. There is a senior assisted living to the west. And R-1 single family subdivision as well.

In 2002 the City approved a CUP to allow a 2,000-sf building for the neighbor to the east. Thinks they considered this a rural area at that time. The ordinance does limit all residential accessory structure to 1080sf and not sure what happened in this case. The rules are clearer now. Staff is not recommending denial as it doesn't meet all the findings.

The DRC stated that it doesn't have practical difficulties. DRC did not recommend approval of this request but would recommend approval of a CUP up to the 1080 sf. The other finding was that it was not in harmony with the purposes of the UDO to maintain small structures. The property owner Ben Jirik is present tonight.

Chair Ackman then opened it up for discussion. Commissioner White then spoke regarding the size of the lot; what can we do to allow this?

Waldock stated that the Planning Commission can disagree with staff and recommend approval and passed out a proposed resolution for approval.

Chair Ackman then went over the facts stating that he wants to build something 240ft larger than what he had. Commissioner Temple wanted to confirm that the neighbor, directly next door also has an oversized garage. Waldock confirmed that it is and was done in 2002.

Chair Ackman then opened up public hearing at 6:32.

Ben Jirik came forward 2518 14th St NE. He explained about the wind storm and the fact that it's had a few insurance claims on it. He mentioned that his recreational toys are getting bigger. He said edge of town; neighbors have big barn and 2,000 sf building and Milestone is a big building and much larger than anything he's proposing. His thoughts are that he's asking for the minimal of what he need, basically another 4' and with the height side, the previous building had 7' doors and his truck is 7'4" and the boat is even bigger. He doesn't think that the ordinance doesn't take into consideration lot size. He mentioned some trees and shrubs that offer screening. He agreed with Steve.

Chair Ackman closed public hearing at 6:36. Waldock stated that there was one public comment asking for additional screening. Jirik came forward and said that he put the plantings in but they are still small. Then back again for discussion. Commissioner Campbell agrees with the lot size and Steve to find a way to approve this and really because of the lot size and the neighboring lots as well. Temple said he didn't see anything out of character with the neighborhood.

Commissioner White then made a motion to recommend approval based on the lot size. He had some recollection of this neighboring building. He also mentioned Woodbury which have larger buildings on larger lots. Commissioner Campbell seconded the motion.

Chair Ackman asked for more information to try to remember the 2,000sf garage. White stated that it was a rural entity and talked about animals. It was horses. Chair Ackman said he remembered only one time allowing a larger building. The neighbor was a barn. This is a uniquely shaped lot. If he votes for this it's because a 4.6-acre lot. Commissioner White also remembered the Dubois who had a larger building with living quarters in it. Commissioner Temple asked if there was a concern about now having two lots like this, potentially sticking out and the other lots are not the same.

Commissioner White referenced other cities like St. Paul, Summit Avenue that has another house and servants' quarters. Minnetonka has larger lots and smaller lots. Chair Ackman stated that the uniqueness is where the lot is larger than 4.5 acres. Commissioner Campbell added that the neighbor did respond by stating that they are fine with it. Waldock stated that that if they approve, that will need to reference the language of the variance. Motion carried on a 5/0 vote.

Chair Ackman asked for a motion for the conditional use permit as amended to reflect the language that was just approved in the variance request. Commissioner Jackson made the motion, seconded by Commissioner Campbell. Motion carried on a 5/0 vote.

4. Board and Commission Reports, Announcements and Updates

Commissioner Campbell started out with an application for funding for some wind damage on Central Ave. Commissioner Temple announced that the HPC will be awarding a Heritage Preservation Award. He also mentioned about the 150 Years of Civic Engagement.

Wanberg stated Council approved Divine Mercy single family house as a meeting place. RSA Properties were approved. MS4 Ordinances were all approved. Taco John's project was approved. Farmer See and Nursery site application was received. Divine Mercy Catholic School will be coming forward.

We also adopted at the annual meeting, that we shifted that Juneteenth to the 21st but, the Council said that if there's a state holiday and legislature did not adopt this and so the city did not adopt it. We do not have anything planned but we can cancel that

meeting since July and August will be really busy. White stated that the 21st he would not be available. White also mentioned that they did not do the curbing but did they do anything with the road? Wanberg stated that it's supposed to remain closed off.

5. Adjournment

Chair Ackman requested a motion to adjourn. Commissioner Temple made the motion seconded by Commissioner Jackson. Meeting was adjourned at 6:54 p.m. Motion carried on a 5/0 vote

Dated June 6, 2022.

By _____
Kari Casper, Recording Secretary



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: July 18, 2022
SUBJECT: Applications Related to Development of a New Auto Body Repair Business and Car Sales Lot at 2005 2nd Avenue NW

Background:

William Malecha is the owner of a vacant commercial lot at 2005 2nd Avenue NW. The property is comprised of a commercial lot and two outlets that will be related to combine them into one lot. The site is Zoned C-2, Highway Commercial District and the east portion is within the revised Shoreland Overlay District for the Cannon River. The owner proposes to construct a 10,400 SF building on this site for use as an auto body repair business & car sales lot. Parking will be provided for 32 cars and a vehicle sales display area is planned for the paved lot area on the west side of the building. The building will have nine (9) repair bays, a paint booth, wash bay, offices, storage, and mechanical area. Associated with this development proposal, he has submitted applications for vacation of a public drainage and utility easement, preliminary and final plat approval and Conditional Use Permit (CUP) for major auto repair in a commercial district and a CUP for Development in the Shoreland Overlay District. A detailed staff report is attached with this memorandum to discuss the project in detail.

The development plan requires multiple planning applications and associated actions for approval. Each application and approval action will be taken separately. The Planning Commission will hold a public hearing to collectively consider all of the applications associated with the proposed development at this site.

Recommendation:

The DRC is recommending that the Planning Commission approve findings for approval of each of the following applications by William Malecha for the development of 2005 2nd Avenue NW.

- i. Vacation of a Public Drainage and Utility Easement on the east line of Lot 1, Block 1, Kuntze Addition
- ii. Preliminary and Final Plat Approval of MAB Addition to replant two outlets and them with an adjoining commercial lot at 2005 2nd Avenue NW
- iii. Conditional Use Permit for Major Auto Repair in the C-2 Highway Commercial District at 2005 2nd Avenue NW
- iv. Conditional Use Permit for Development in the Shoreland Management District over the eastern portion of the site at 2005 2nd Avenue NW.

Attachments:

- 1. Staff Report re. Malecha Auto Body - 2005 2nd St NW
- 2. MAB Preliminary Plat_Final Plat_ CUP_Easement Vacation_Engineering Memo for PC 2022-07-15
- 3. Site Map Malecha
- 4. Zoning Map Malecha
- 5. Architectural Plans
- 6. 00999_CIVIL_PLAN_SHEETS_REV1 with notes
- 7. 2022-05-31 MAB Application for CUP
- 8. 00999PP01-Preliminary Plat
- 9. 00999FP01-Final Plat
- 10. Depiction of Easement Vacation Area



Public Hearing Staff Report

TO: Planning Commission
FROM: Peter Waldock, AICP Planning Coordinator
Lucas Bertram, Planning & Zoning Intern
MEETING DATE: July 18, 2022
SUBJECT: Applications Related to Development of a New Auto Body Repair Business and Car Sales Lot at 2005 2nd Avenue NW

BACKGROUND

William Malecha is the owner of a vacant commercial lot at 2005 2nd Avenue NW. Additionally he owns two outlots to the east of the commercial lot. The site is Zoned C-2, Highway Commercial District and the east portion is within the revised Shoreland Overlay District for the Cannon River. The site is relatively level, wooded in the east, but had previously developed with a house along 2nd Avenue NW. The property fronts on Minnesota Highway 3 on the west, and 20th Street NW on the south that is now a fully improved City Street. A commercial driveway access from 20th Street was installed as the only access for the site.

Surrounding uses include the new Kwik Trip store approved on the lot to the south. There is a residence, and light industrial uses to the east. Those areas are also zoned in the C-2 District. To west across Hwy 3 is Casey's convenience store and gas station, and a small commercial retail use in the building at the southwest corner of Hwy 3 and 2nd Avenue NW.



PROJECT SUMMARY

The property owner / applicant proposes to construct a 10,400 SF building on

this site for use as an auto body repair business & car sales lot. The building will have nine (9) repair bays, paint booth, wash bay, offices, storage, and mechanical area. Associated with this development proposal, he has submitted applications for vacation of a public drainage and utility easement, preliminary and final plat approval and Conditional Use Permit (CUP) for major auto repair in a commercial district and a CUP for Development in the Shoreland Overlay District.

Site improvements will provide for car sales lot, secured storage for vehicles in queue for repair (located in the northeast corner of the lot), and thirty-five (35) parking spaces for employees and customers. Two (2) parking spaces are reserved as accessible parking spaces. All drives and parking areas will have bituminous paving with perimeter concrete curb.

The secured storage lot will have a gravel surface with 6' tall chain link fencing including privacy slats. Building exterior finishes will be a mix of masonry veneer (Novabrik) and stucco-look metal on the south and west facades. The north and east facades will have ribbed metal panels that have a low (less pronounced) ribbed surface.

Proposed signage will be building mounted on the west façade. The plan also shows a location for a freestanding sign, but none is proposed at this time. Exterior lighting will be building mounted with cut-offs shading/redirecting light away from the adjacent residential use. Access is planned on 20th Street NW only.

The proposed subdivision, replats the south portion of Outlot A of 218 Addition, and Outlot A of Kuntze Addition and Lot 1, Block 1 of Kuntze Addition in order to combine them into one lot. The site (once all of the parcels are combined) has a total area of 65,421 SF.

The applicant is seeking to vacate the perimeter drainage and utility easement that was platted on east line of Lot 1, of the Kuntze Addition. If not vacated this easement would cross the new lot (after the three parcels are combined).

Discussion / Review:

- Comprehensive Plan. The comprehensive plan guides the site for Residential/Commercial Mixed Use. The proposed use is consistent with the plan for this area and compatible with adjoining commercial uses to the west and south.

The proposal is consistent with Comprehensive Plan.

- Zoning District. The site is zoned C-2 Highway Commercial District. The uses proposed in case are permitted with a CUP approval for major auto repair within this district. Additionally, parts of the lot fall in the revised Shoreland Overlay District map area, which requires a CUP for development.
- Shoreland Overlay District. In recent discussions with Mn DNR it was determined that the mapped shoreland district boundary in this area was incorrect and needed to be revised. The revised map includes the east portion of the subject in the Shoreland District.

The MnDNR has reviewed this application and recommends installation of a water quality protection device at the intake of the stormwater ponds,

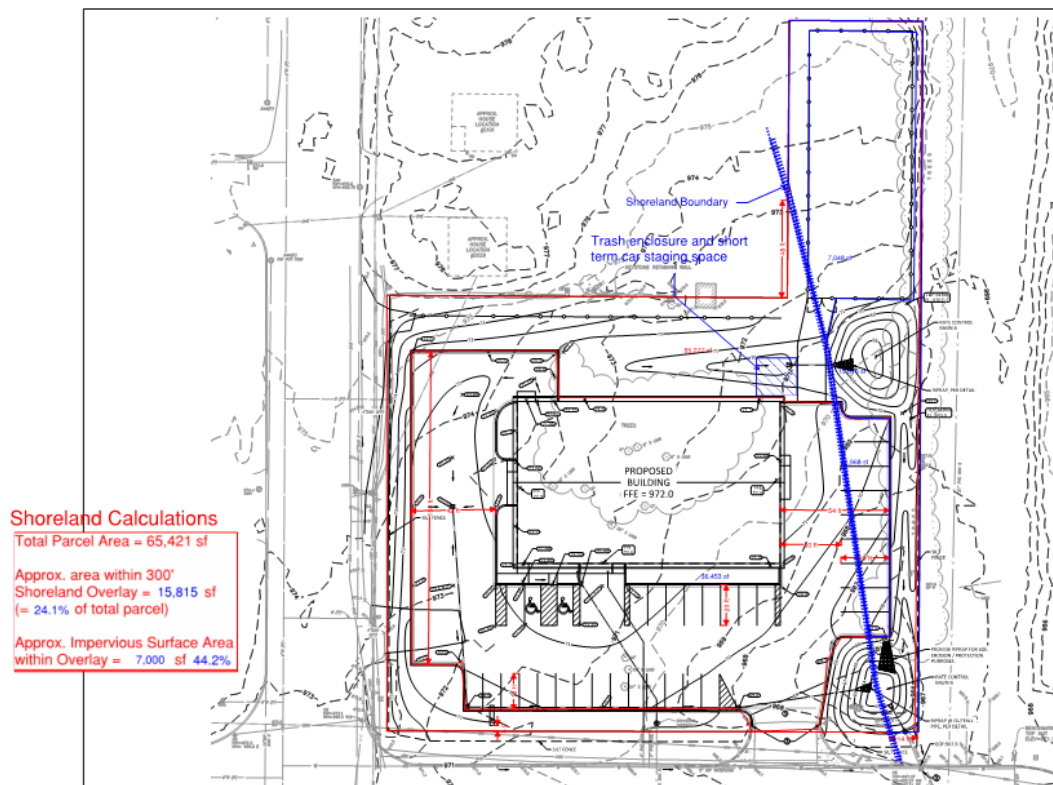
or at the intake of the storm sewer line. They have found that uses like this will likely have automotive fluids/oils on the parking area that can wash into the storm system during a large rain event, in this case very close to the river and be directly discharged. Along with removing oils this device can remove trash as well.

The applicant has indicated that there is very little leakage coming from the cars brought in for repair. Crashed cars are not brought here directly from the accident scene. They are first taken to the towing company lot then once the car owner has selected a repair shop, then the car is towed to the body shop. So leaking has stopped by the time the vehicle arrives on site. When fluids are drained from vehicles for repair it is done inside the shop with proper equipment.

It is recommended that one temporary stage space is provided north of the building outside (which is outside of the shoreland district area) in a leaking vehicle is dropped off at the site before it can be taken inside and drained of fluids. A paved space of 10' by 20' next to the trash enclosure can accommodate this purpose.

- Impervious Surface Calculations. The site (counting all three of the current lots) has a total area of 65,421 square feet (~1.5 acres). Approximately 43,217 square feet of that is covered in impervious surfaces, or 66%. Within the Shoreland Overlay District, which covers 15,815 square feet of the lot, 7,000 square feet is covered in impervious surfaces or 44%. For site area within the Shoreland Overlay District, a maximum of seventy (70) percent impervious surface coverage is permitted for commercial sites if compliant with the Surface Water Management Plan, or with approval from the City Engineer.

The proposed development is within the allowed limits for impervious surface coverage in the Shoreland District.



- **Parking Requirements.** 1 space/ 300 SF of gross floor area is required for the office and three (3) spaces per service bay and one (1) space per employee for auto repair shops. With 1300 SF of office and customer area there will need to be a four and a half (4.5) spaces. There are nine (9) service bays requiring twenty-seven (27) more spaces, and with 8 employees, 8 more spaces are needed for a total requirement of forty (40) spaces.

The site plan shows thirty-four (34) striped spaces with two (2) handicapped spaces. The paved car sales lot is about 154 wide and therefore can accommodate seventeen (17), nine (9) foot wide parking stalls if needed. The fenced storage area can be paved for additional parking space if needed. The DRC found that these factors provide “proof of parking” and determined this plan meets parking requirements based on that.

The parking area and driveway are paved and have curbs as required by the UDO.

- **Curb Cut Width.** The UDO limits commercial driveways to thirty-two (32) feet in width. The City Engineer has authority to approve curb cuts of up to fifty (50) in width where necessary. In this case the curb cut width shown on the plans is about thirty-five (35) feet wide.
- **Setbacks.** The building and parking lot meet or exceed minimum setback requirements as noted on the plans. Parking lot exceeds setback minimums in front along 2nd Ave. NW and in the rear (east lot line).

Table 11-2. Lot dimension and setback requirements in the commercial districts.

District	C-1	C-2	C-3	CBD
Minimum lot area (sq. ft.)	10,000	20,000	40,000	none
Minimum lot width	100 feet	100 feet	100 feet	none
Building setback requirements				
Front	25 feet	25 feet	25 feet	none
Side	10 feet	10 feet	10 feet	none
Side (abutting residential district)	15 feet	15 feet	15 feet	10 feet
Corner side	25 feet	25 feet	25 feet	none
Rear	10 feet	10 feet	10 feet	10 feet
Rear (abutting residential district)	15 feet	15 feet	15 feet	10 feet
Setback for off-street parking and loading areas				
Front	10 feet	10 feet	10 feet	5 feet
Side	5 feet	5 feet	5 feet	5 feet
Side (abutting residential district)	10 feet	10 feet	10 feet	10 feet
Corner side	10 feet	10 feet	10 feet	10 feet
Rear	5 feet	5 feet	5 feet	5 feet
Rear (abutting residential district)	10 feet	10 feet	10 feet	10 feet
Setback for exterior storage areas				
Side	-	5 feet	5 feet	-
Side (abutting residential district)	-	10 feet	10 feet	-
Corner side	-	25 feet	25 feet	-
Rear	-	5 feet	5 feet	-
Rear (abutting residential district)	-	10 feet	10 feet	-

- **Landscaping.** The site plan indicates an impervious surface coverage of 66% in this case. The UDO requires ten (10) plantings/ acre for commercial sites with 60-79% impervious surface coverage. The site is

about 1.5 acres in area. Fifteen (15) plantings are the base number. However because the site adjoins a trail and a residence, the UDO requires a 150% increase from the base number and therefore 38 plantings will be required in this case. The plan provides for 29 plantings, as shown in the tree and shrub schedule below. The landscaping plan will need to be revised to provide 38 approved plants to meet code requirements.

TREE & SHRUB SCHEDULE			
KEY	COMMON NAME	QUANTITY	SIZE
A	YELLOW RIBBON ARBORVITAE	9	10 GALLON
B	SPRING SNOW FRUITLESS FLOWERING CRAB	4	1" DIA.
C	IVORY JAPANESE TREE LILAC	4	1"-1.5" DIA.
D	BABY BLUE EYES SPRUCE	1	4'-5' HEIGHT
E	LITTLE QUICKFIRE HYDRANGEA	4	3 GALLON
F	TAUNTON JAPANESE YEW	2	5 GALLON
G	DWARF BLUE SPRUCE	3	5 GALLON

Parking lots with over 50 spaces require landscaped islands of at least 100 SF in area. Since the plan shows 34 spaces (and proof of parking for forty (40) spaces), the islands will not be required. The plan provides shade trees along the car sales display area and the south parking area along 20th St. NW.

- **Screening.** The UDO requires screening for commercial sites adjoining residential uses and public parks or trails. Screening can be provided by a 6 foot tall fence or landscape plantings of 90% opacity (reached within two years after planting).

Sec. 4-130. Landscaping requirements

(I) *Screening.* When screening is required, as stated in other sections of this chapter, the following standards shall apply:

- (1) The screening shall be a minimum of six (6) feet in height.
- (2) The screening shall have a minimum of ninety (90) percent opacity.
- (3) If landscaping is used for the screening, the plantings shall be evergreen and a minimum of six (6) [feet] in height when planted. A ninety (90) percent opacity level shall be obtained within two (2) years.
- (4) Screening shall be required when the area is visible from one (1) of the following areas:
 - a. A residential zoning district or use.
 - b. A public park, trail, or open space.
 - c. Interstate 35, a State Highway, or County Highway.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 2008-09, § 1, 5-13-08; Ord. No. 2010-09, § 1, 6-8-10)

In this case the plan shows a screening fence along the north side of the property and surrounding the outdoor storage area (adjoining the future public trail to the east).

After submitting the plans the applicant met with home owner to the north. The neighbor prefers a landscaped screen rather than a fence and the applicant is willing to make this plan change to the plan. This revision will meet UDO requirements with increased plant numbers of evergreens

along the north property lines. Similar screening along the east parking area should also be provided to screen the future trail on that side as well.

- Signs. The sign plan provides for two freestanding signs as permitted under the UDO. Signage will be building mounted on the west wall and may be ten (10) percent of the wall area. Freestanding signs are shown on the plan at a three (3) foot setback from 20th Street NW. A five (5) foot setback is required for signs less than twenty (20) above grade. Signs at twenty (20) and up may encroach up to four (4) feet in this setback.

Separate sign permits will be needed prior to installation of the signs.

- Building Façade. There will be a mix of masonry veneer, stucco, and finished metal panels on south and west façades, and ribbed metal panels on the east and north façades. The façade walls facing the street will be a combination of brick veneer and metal panels with a stucco like finish. The north and east facades will have ribbed metal panels that have a low (less pronounced) ribbed surface.

The façade plans as proposed meet the UDO requirements.

- Trash Enclosure. The plan shows a trash enclosure located north of the primary building that faces away from the adjoining residence. The plan does not specify the type of enclosure. Per UDO Sec. 6-40, it must enclose at least three (3) sides by opaque screening at least six (6) feet in height. The open side of the enclosure shall not face any street or the front yard of any abutting property.
- Vacation of Public Easements. The applicants are seeking to vacate the drainage and utility easement that was platted along the east property line of Lot 1, Block 1 of Kuntze Addition. If not vacated, the easement will cross the new lot created with MAB Addition which combines three parcels into one.

There are no City utilities within this easement and the DRC recommends approval of the vacation of the easement as proposed.

- Subdivision Plat. The MAB Addition combines the south portion of Outlot A of 218 Addition, Outlot A, of Kuntze Addition and Lot 1, of Kuntze addition to create one commercial lot. The proposed lot will meet zoning standards for lot size and frontage. The plat meets subdivision ordinance standards.

A development agreement is required for subdivisions per Sec. 15-340 of the UDO. It will address development details and costs related to the site.

- Public Right of Way. Additional public street right of way may be needed at the intersection of Hwy 3 and 20th Street NW in the southwest corner of the site as may be determined by MnDOT and the City Engineer. It is not anticipated that this will result in conflicts with the planned improvements on the subject site.
- Parkland Dedication. The development agreement for Kuntze Addition stated that park dedication requirements were satisfied as part of the 218 Addition plat. No additional parkland dedication will be needed for this subdivision application.
- Site Address. The site currently has an address on 2nd Avenue NW. Since

there will be no driveway access from 2nd Avenue, the site should have an address from 20th Street NW instead. The address for the site should be changed to 190 20th Street NW.

Comments:

The Development Review Committee (DRC) discussed the application in this case at its meeting on June 21, 2022. The DRC had no major concerns with the proposal and recommended conditional approval of the Preliminary and Final Plat applications, and the CUPs for development in a Shoreland Overlay District. The DRC had the following comments:

1. There will need for screening to minimize impact on adjacent residential areas, and the planned trail east of the site.
2. Stormwater management design features and sizing will need to follow requirements for areas in Shoreland District. The stormwater storage may need to be increased to meet the requirements.
3. Removal of existing trees and vegetation in the shoreland area should be limited as much as possible to provide a natural screen from view of persons fishing, canoing or kayaking, etc. on the river.
4. Any exterior trash and recycling storage areas must be screened in accordance with

Recommendations:

Planning staff recommends approval of all of the applications in this case subject to conditions of approval.

Suggested Conditions of approval for the Preliminary and Final Plat are as follows:

1. The Applicant shall submit to the City current title work that identifies all entities with a legal interest in the subject property, including but not limited to mortgage and easement interests.
2. The Applicant shall address, to the satisfaction of the City Engineer, all comments raised by the City Engineer in his memorandum, attached as an exhibit to this resolution.
3. The Applicant shall address, to the satisfaction of the City, easement issues affecting the plat.
4. The Applicant shall address all plat-related comments from City Staff and the City Attorney.
5. The Applicant and the City of Faribault shall enter into a Development Agreement that addresses all terms and conditions of the preliminary plat and final plat to the satisfaction of the City Attorney and the City Engineer.
6. The approved final plat shall be recorded within one year of the date of approval.
7. The City Administrator and City Attorney are authorized to approve any revisions needed to carry out the intent of this resolution.

Suggested Conditions of approval for the Major Automobile Repair CUP are as follows:

1. Access to site will only be from 20th St. NW, as installed during the 2021 construction of public improvements on 20 Street NW along the site.
2. All auto repair work must be performed inside the building.
3. Damaged or disassemble vehicles in queue for repair must be parked within the screened storage area.
4. Parking lot striping for 40 parking spaces must be installed if the City determines a shortage of onsite parking is apparent.

Suggested Conditions of approval for the Shoreland Overlay District CUP are as follows:

1. Provide native/forb mixture grass in landscaped areas on site where feasible.
2. Preserve the natural trees and vegetation existing within the Shoreland District area of the site to the greatest extent possible.
3. Design the stormwater management system in a manner as approved by the City Engineer, to limit or filter automotive fluids from the parking lot and outdoor storage areas on site.
4. The Owner shall obtain the necessary building permits, grading permits, and all other applicable permits before construction can occur on the subject property.

Attachments:

- Draft Resolution
- City Engineer's Memo
- Maps and Plans
- Applications



Engineering Department Memorandum

TO: Peter Waldock, Planning Coordinator

CC: Deanna Kuennen, Comm. and Econ. Development Director
Travis Block, Public Works Director
Jeanne Day, Finance Director

FROM: Mark DuChene, City Engineer

DATE: July 15, 2022

SUBJECT: MAB Addition Preliminary Plat, Final Plat, Conditional Use Permit & Easement Vacation

BACKGROUND

William Malecha on behalf of Malecha Properties, LLC, the developer, has submitted a preliminary plat, final plat, conditional use permit and easement vacation applications. The site is located in the NE ¼ of Section 30 Township 110, Range 20W whose parent parcels are Lot 1, Block 1 and Outlot A Kuntze Addition and Outlot A 218 Addition. The site is adjacent to 20th Street NW to the south, 2nd Avenue to the west, commercial property south and residential property to the east.

The proposed subdivision is located on land that is currently zoned C-2 Highway Commercial. No rezoning is proposed. The proposed improvements include the construction of an autobody repair and sales shop.

Conditional Use Permit

A conditional use permit is required for the proposed use and is also required since a portion of the site is within the City's shoreland overlay district due to its proximity to the Cannon River. All proposed improvements must meet the requirements of the City's shoreland overlay district.

There are no proposed public improvements.

The proposed development will be completed by:

Owner/Developer:	Malecha Properties, LLC
Surveyor/Engineer:	Stonebrooke Engineering, Inc.

PLAT

Developer has submitted a preliminary and final plat for MAB Addition. The preliminary and final plat contains one (1) lot for commercial development.

The areas within the plat include:

Lot 1	1.50 acres (65,421 sf)
Total	1.50 acres (65,421 sf)

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office.

The need for additional right-of-way along 2nd Avenue (TH 3) or 20th Street NW is subject to the pending review by the Minnesota Department of Transportation.

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota.

SITE CONDITIONS

The existing site contains approximately 1.50 acres of land that that is undeveloped. The site is relatively flat and generally drains from west to east. The site was previously a single family residence and has been vacant for a couple of years.

There appear to be multiple encroachments on the proposed plat from adjacent properties that must be removed or mitigated. These include a shed and an overhead private electric service.

EASEMENTS

Existing Easements

- There are existing perimeter drainage and utility easements (DUE) for Lot 1 Block 1 Kuntze Addition. The 5-foot DUE along the eastern property line of Lot 1 Block 1 Kuntze Addition is proposed to be vacated.

Proposed Easements

The proposed plat shows perimeter drainage and utility easements as required by City code on proposed Lot 1.

STREET AND SITE LAYOUT

No public street improvements are planned as part of the subdivision at this time; however, as part of the platting and review process for a nearby plat, the Minnesota Department of Transportation requested an intersection traffic impact study (TIS) be performed for the intersection of 2nd Avenue NW/TH 3 and 20th Street NW. The draft TIS indicated that the intersection would perform at an acceptable level of service even through the 2032 horizon

year under the build conditions. The one movement that is in being reviewed is the TH 3 southbound left turn movement onto 20th Street. This movement is being further analyzed and may require improvements to TH 3 and the requirement to dedicate additional right-of-way.

2nd Avenue NW

The site is east of and adjacent to 2nd Avenue NW a minor arterial south of 20th Street NW and a principal arterial north of 20th Street NW. 2nd Avenue NW is constructed as a 24-foot wide, two-lane urban roadway with a southbound right turn lane and is within a 66-foot right-of-way. There is currently no sidewalk on the east side of 2nd Avenue NW and none is planned as a future multi-purpose trail is planned along the east side of the proposed plat.

20th Street NW

The site is north of and adjacent to 20th Street NW a local roadway. 20th Street NW was reconstructed in 2021 and is constructed as a 32-foot wide, urban roadway and is within a 66-foot right-of-way with no parking on both sides of the street. There is currently no sidewalk on the south side of 20th Street NW but one is shown in the City's comprehensive sidewalk and trails plan. The site plan indicates one driveway entrance on 20th Street NW to serve the proposed development. Driveway entrances shall be construct to meet the City's standard commercial driveway entrance detail.

PARKS AND TRAILS

Per the development agreement for Kuntze Addition the park dedication requirements were satisfied as part of the 218 Addition plat. No proposed park land or trails are proposed as part of the development; however, the City's comprehensive trails and sidewalks plan does include the City constructing a new multipurpose trail adjacent to the east side of the proposed plat.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Canon River (M-048) district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to the adjacent streets and to the east which eventually connect to existing storm sewer systems that ultimately discharge to the Cannon River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

The proposed site improvements include the addition of an estimated 1.01 acres of new and/or reconstructed impervious surface. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit, the City's current Municipal Separate Storm Sewers permit and 2022 Surface Water Management Plan including the Developers Guide for Stormwater Management must be incorporated into the final plans. The Developer has submitted a Stormwater Management Plan and is proposing to construct a new stormwater treatment basin(s) onsite. The storm water basin is proposed to then discharge the City storm sewer system within 20th Street NW and then to the Cannon River.

The proposed stormwater basin(s) will be a private basin and the Developer will be required to enter into a long-term stormwater operations and maintenance agreement with the City and record said agreement at the Rice County Recorder's office.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances.

UTILITIES

The existing site is currently served by City water and sewer from services extended into the site from mains located in the adjacent public streets and existing utilities have sufficient capacity to serve the proposed development.

All future buildings shall be charged the standard Sewer Access Charge (SAC) and Water Access Charge (WAC) in effect at the time of building permit issuance.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

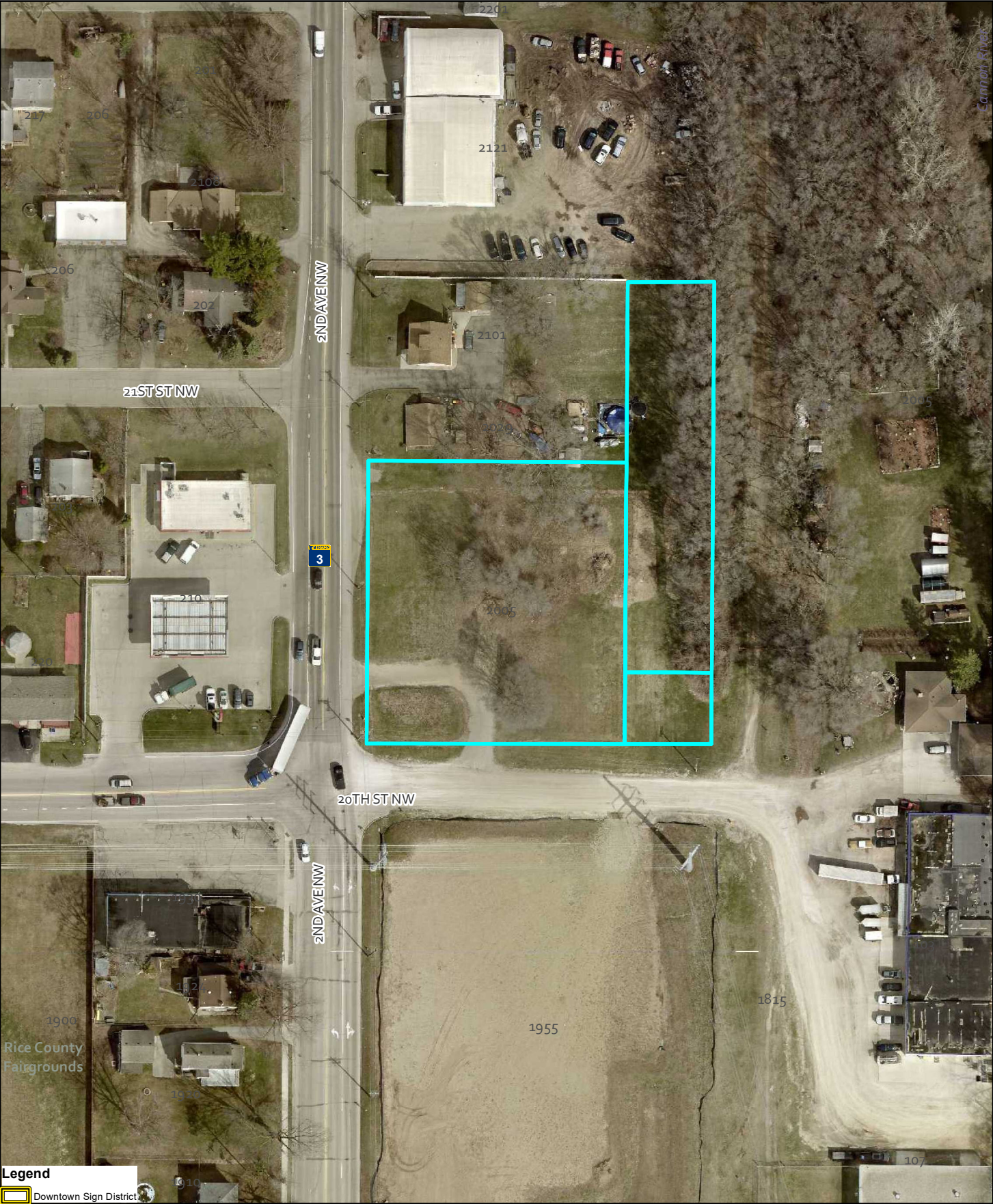
Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

Engineering recommends approval of the Preliminary Plat, Final Plat, Conditional Use Permit & Easement Vacation, subject to the comments within this report and the following:

- Plat revisions may be needed pending the review of the plat by MnDOT.
- Developer shall revise stormwater management report and stormwater treatment design to be in conformance with the City's MS4 Permit, 2022 Surface Water Management Plan (including the Developer's Guide for Stormwater Management) and the City's Shoreland Overlay District stormwater management requirements.
- Current title work shall be subject to review by the City and City Attorney.
- Developer shall enter into a stormwater operations and maintenance agreement prior to issuance of any type of occupancy permits.

Malecha Auto Body Development Site

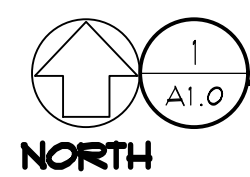


Legend

Downtown Sign District

Malecha Auto Body Development Site





SITE PLAN

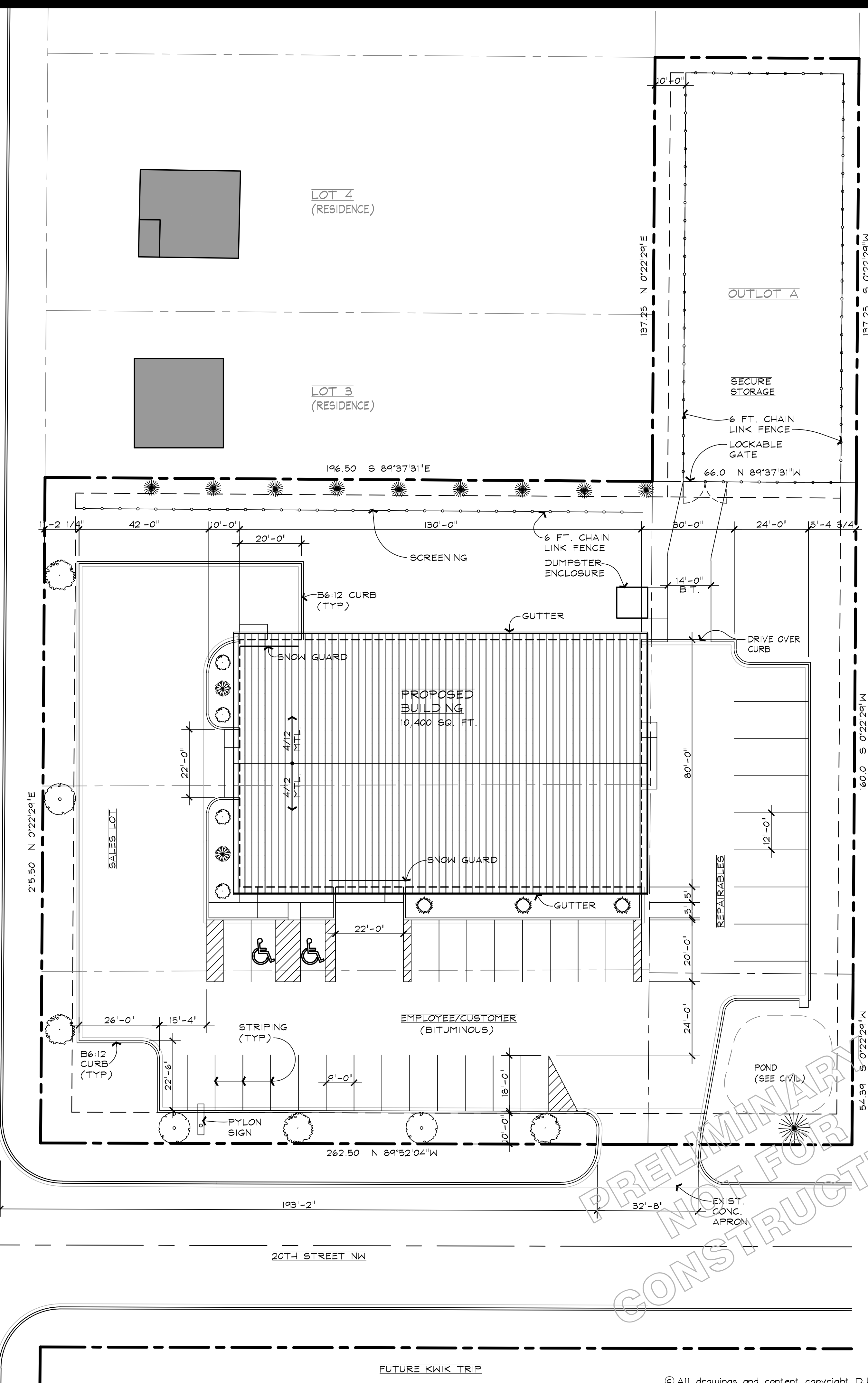
SCALE: 1" = 20'-0"

EXISTING CASEY'S

HIAWATHA PIONEER TR.
(HIGHWAY 3)

HIAWATHA PIONEER TR.
(HIGHWAY 3)

SECOND
AVENUE



PRELIMINARY
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DESIGNED	DJM
DRAWN	NES
CHECKED	DJM
PROJECT	21013
REVISIONS	

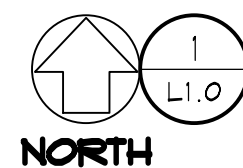
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota. (architectural only)

DAVID J. MEDIN
License No. 9896
Date May 31, 2022

MALECHA
AUTO BODY
FARIBAULT, MINNESOTA.

DJ MEDIN
architects, inc.
203 n.w. First Ave.
Faribault, MN 55021
507/334-2252

SITE PLAN
A1.0



LANDSCAPE PLAN

SCALE: 1" = 20'-0"

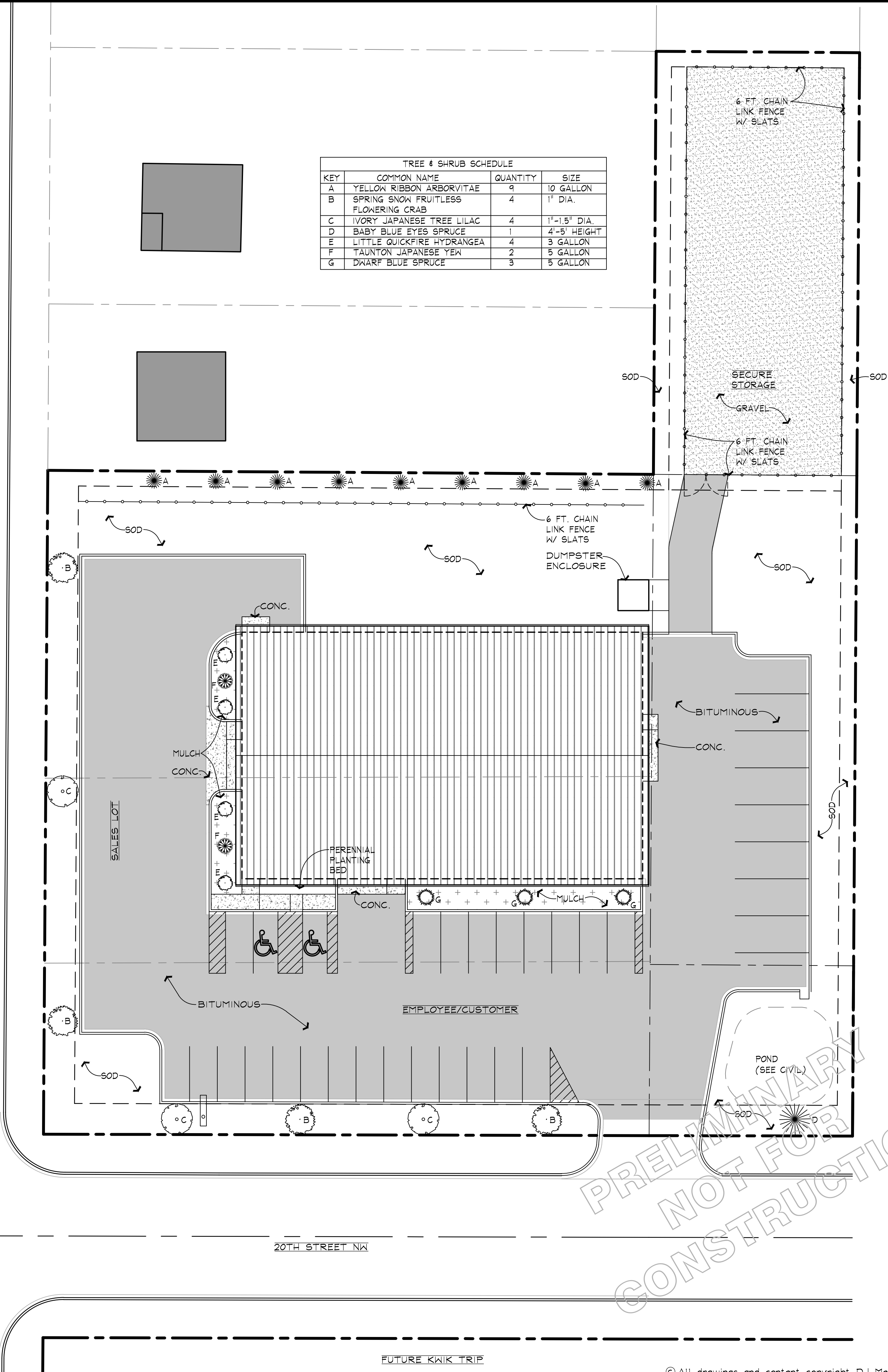
HIAMATHA PIONEER TR.
(HIGHWAY 3)

SECOND
AVENUE

20TH STREET NW

FUTURE KNIX TRIP

TREE & SHRUB SCHEDULE			
KEY	COMMON NAME	QUANTITY	SIZE
A	YELLOW RIBBON ARBORVITAE	9	10' GALLON
B	SPRING SNOW FRUITLESS FLOWERING CRAB	4	1" DIA.
C	IVORY JAPANESE TREE LILAC	4	1"-1.5" DIA.
D	BABY BLUE EYES SPRUCE	1	4'-5' HEIGHT
E	LITTLE QUICKFIRE HYDRANGEA	4	3 GALLON
F	TAUNTON JAPANESE YEW	2	5 GALLON
G	DWARF BLUE SPRUCE	3	5 GALLON



DESIGNED	DJM
DRAWN	LMM
CHECKED	DJM
PROJECT	21013
REVISIONS	

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota.
(architectural only)

DAVID J. MEDIN
License No. 9896
Date May 31, 2022

MALECHA
AUTO BODY
FARIBAULT, MINNESOTA.

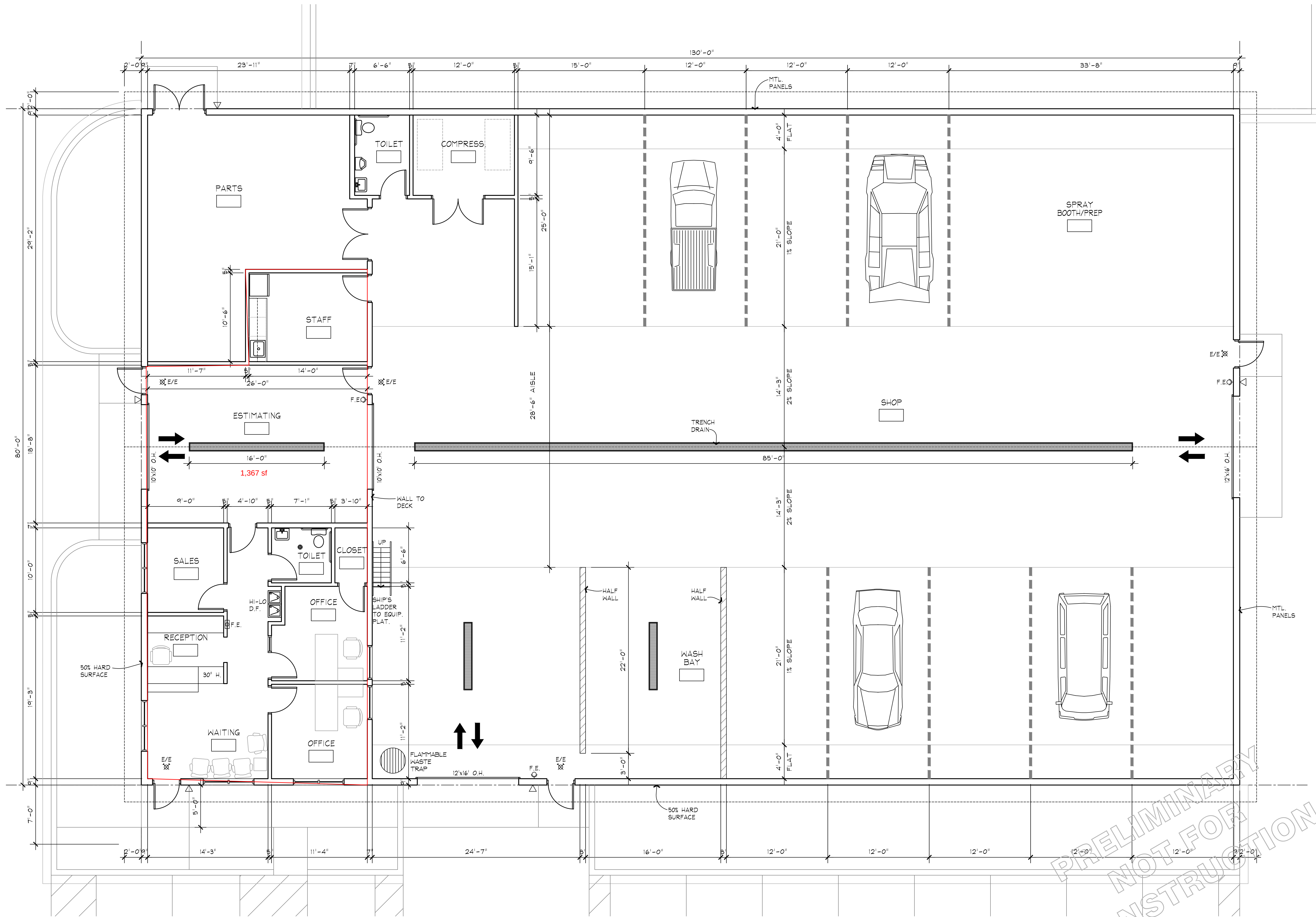


architects, inc.
203 n.w. First Ave.
Faribault, MN 55021

507/334-2252

LANDSCAPE PLAN

L1.0



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FLOOR PLAN
NORTH
SCALE: 3/16" = 1'-0"

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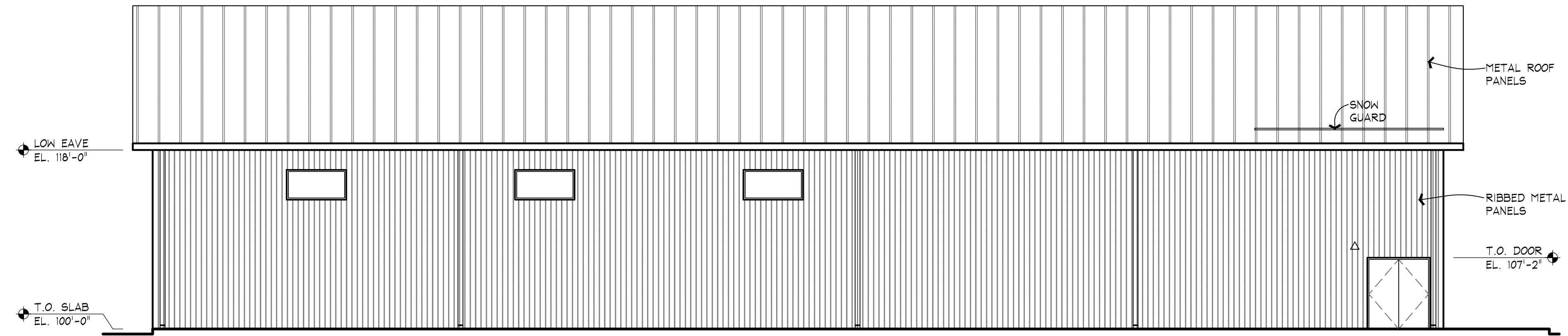
DAVID J. MEDIN
License No. 0808
Date Apr 01, 2022

**MALECHA
AUTO BODY**
FARIBAULT, MINNESOTA

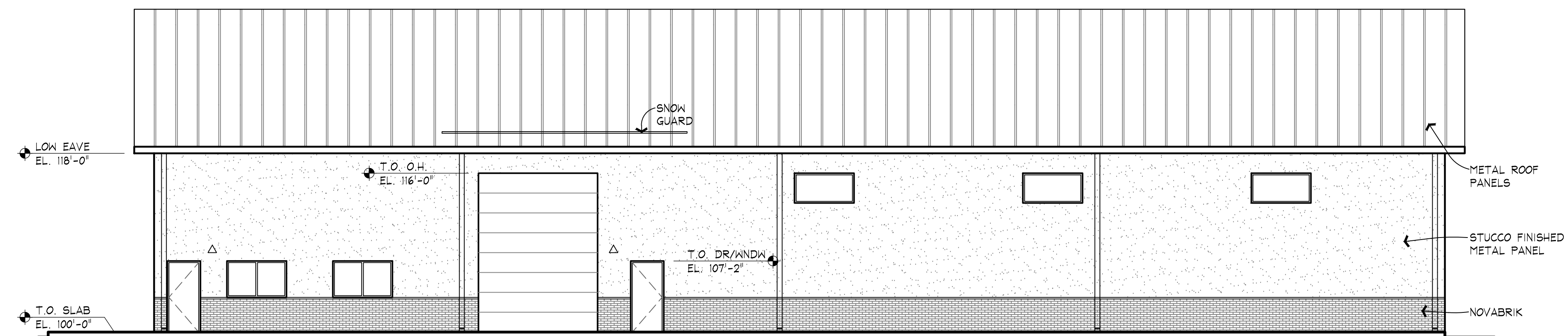
DJ MEDIN
architects, inc.
203 n.w. First Ave.
Faribault, MN 55021

507/334-2252

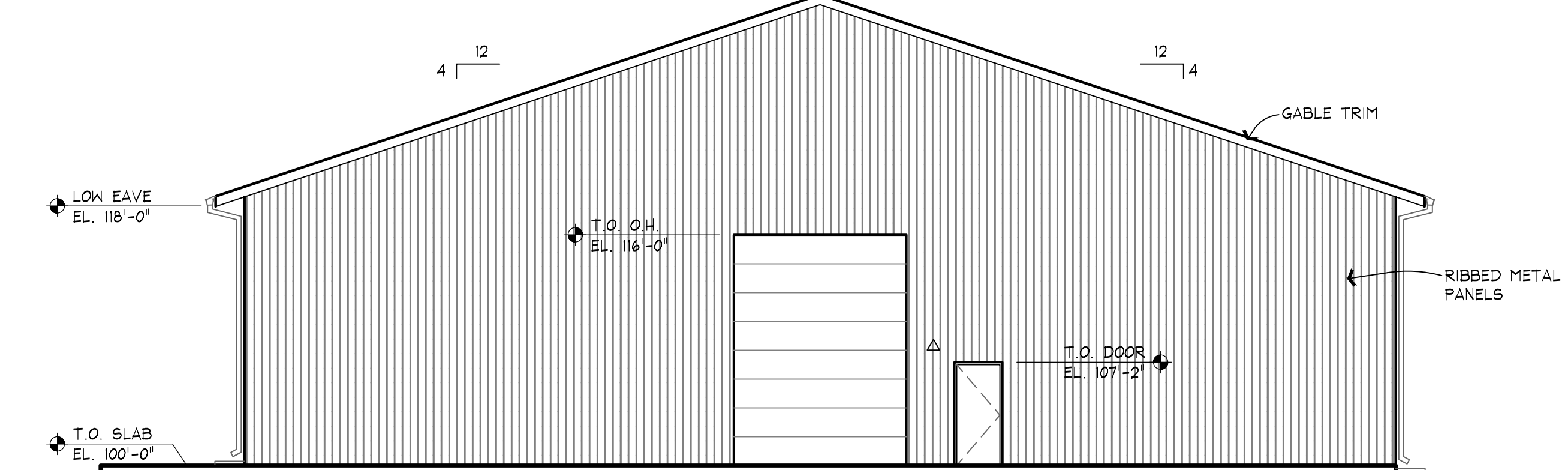
FLOOR PLAN
A3.0



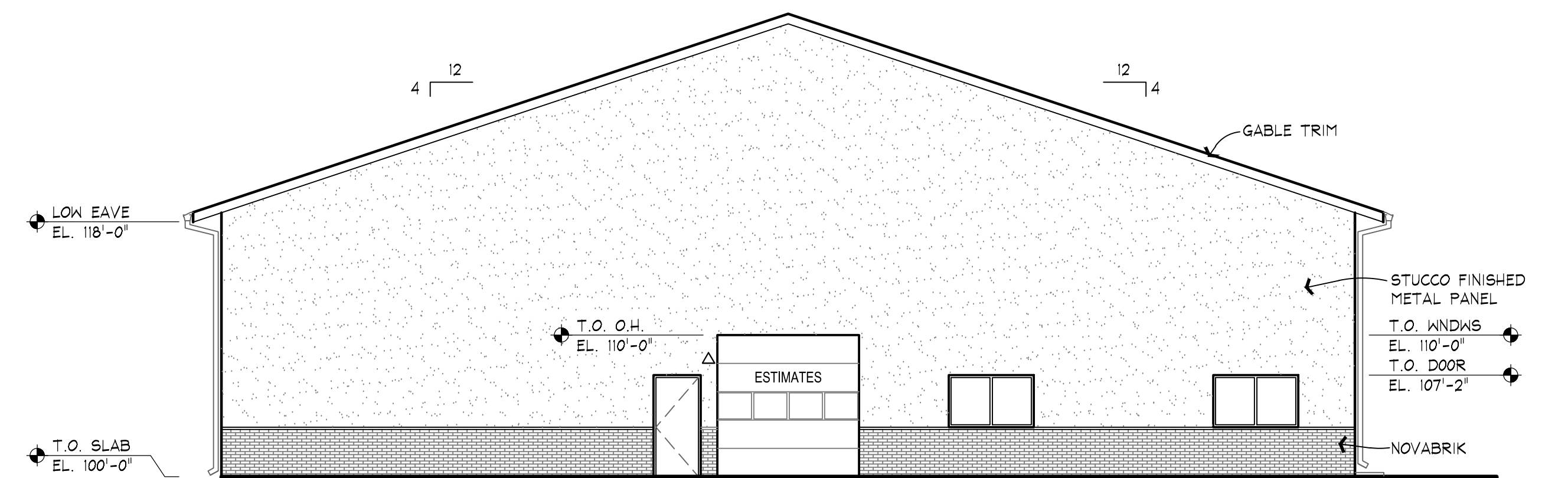
1
A5.0
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



2
A5.0
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3
A5.0
EAST ELEVATION
SCALE: 1/8" = 1'-0"



4
A5.0
WEST ELEVATION
SCALE: 1/8" = 1'-0"

PRELIMINARY
NOT FOR
CONSTRUCTION

DESIGNED	DJM
DRAWN	
CHECKED	DJM
PROJECT	21013
REVISIONS	

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the state of Minnesota. (architectural only)

DAVID J. MEDIN
License No. 9896
Date May 25, 2022

MALECHA
AUTO BODY
FARIBAULT, MINNESOTA

DJ MEDIN
architects, inc.
203 n.w. First Ave.
Faribault, MN 55021

507/334-2252

EXTERIOR ELEVATIONS

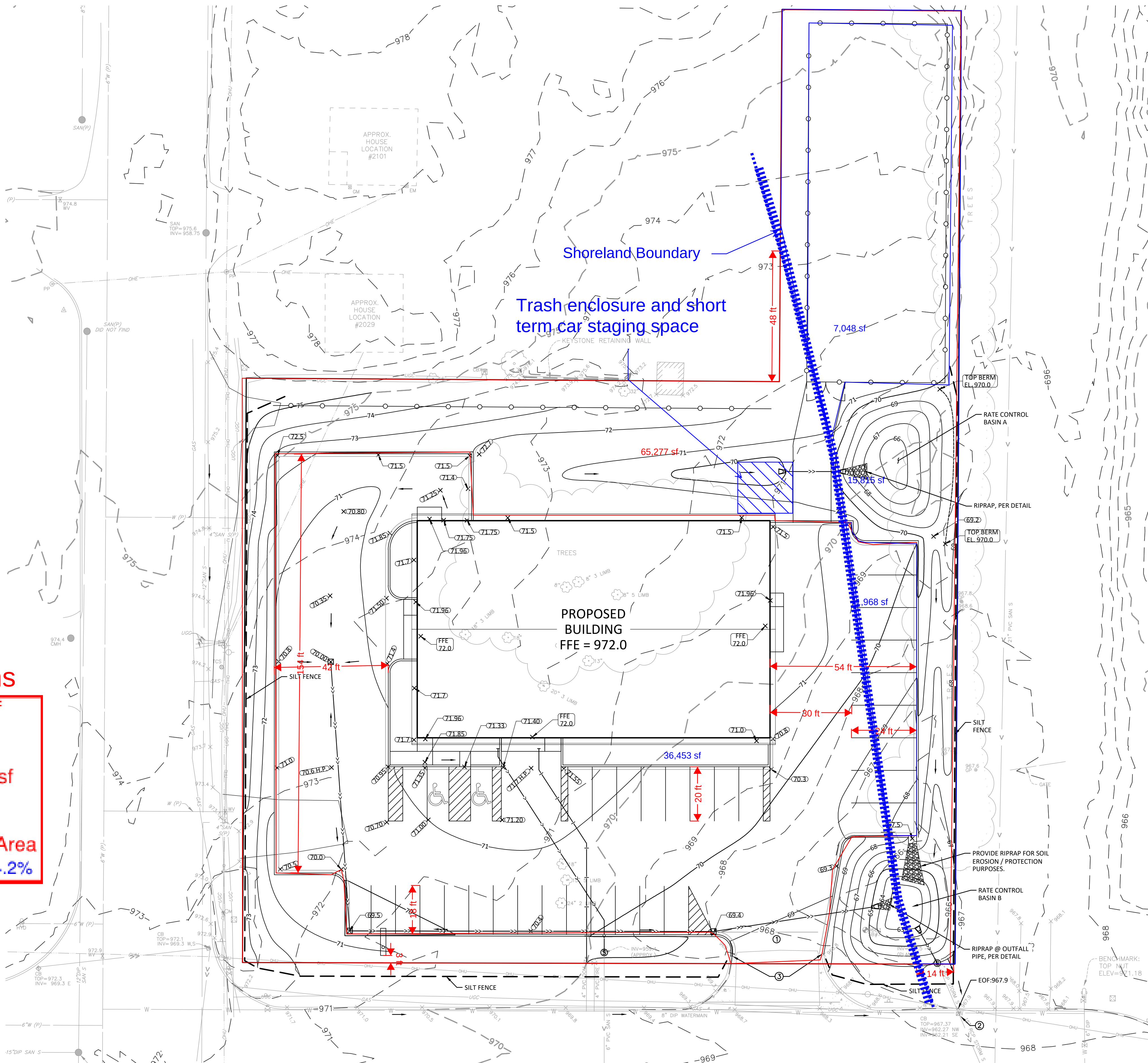
A5.0

Shoreland Calculations

Total Parcel Area = 65,421 sf

Approx. area within 300'
Shoreland Overlay = 15,815 sf
(= 24.1% of total parcel)

Approx. Impervious Surface Area
within Overlay = 7,000 sf 44.2%



KEYED NOTES:

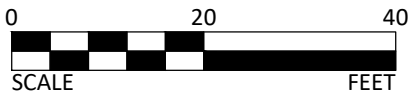
1. PROVIDE ROCK CONSTRUCTION ENTRANCE, PER DETAIL.
2. PROVIDE "SILT SACK", OR APPROVED SIMILAR EROSION CONTROL AT EXISTING CATCH BASIN INLET.
3. MATCH INTO EXISTING CURB LINE, CREATING A SMOOTH TRANSITION.

GENERAL SITE REMOVALS, GRADING, & EROSION CONTROL NOTES:

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
2. REMOVAL OF MATERIALS NOTED ON THE DRAWINGS SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
3. REMOVAL OF PRIVATE UTILITIES SHALL BE COORDINATED WITH UTILITY OWNER PRIOR TO CONSTRUCTION ACTIVITIES.
4. REMOVED MATERIALS SHALL BE DISPOSED OF TO A LEGAL OFF-SITE LOCATION AND IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
5. PROPERTY LINES SHALL BE CONSIDERED GENERAL CONSTRUCTION LIMITS UNLESS OTHERWISE NOTED ON THE DRAWINGS. WORK WITHIN THE GENERAL CONSTRUCTION LIMITS SHALL INCLUDE STAGING, DEMOLITION AND CLEAN-UP OPERATIONS AS WELL AS CONSTRUCTION SHOWN ON THE DRAWINGS.
6. PROPOSED WORK (BUILDING AND CIVIL) SHALL NOT DISTURB EXISTING UTILITIES UNLESS OTHERWISE SHOWN ON THE DRAWINGS AND APPROVED BY THE CITY PRIOR TO CONSTRUCTION.
7. STAGING, DEMOLITION, AND CLEAN-UP AREAS SHALL BE WITHIN THE PROPERTY LIMITS AS SHOWN ON THE DRAWINGS AND MAINTAINED IN A MANNER AS REQUIRED BY THE CITY.
8. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
9. SEE SITE PLAN FOR HORIZONTAL LAYOUT & GENERAL GRADING NOTES.
10. THE CONTRACTOR SHALL COMPLETE THE SITE GRADING CONSTRUCTION (INCLUDING BUT NOT LIMITED TO SITE PREPARATION, SOIL CORRECTION, EXCAVATION, EMBANKMENT, ETC.) IN ACCORDANCE WITH THE REQUIREMENTS OF THE OWNER'S SOILS ENGINEER. ALL SOIL TESTING SHALL BE COMPLETED BY THE OWNER'S SOILS ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL REQUIRED SOIL TESTS AND INSPECTIONS WITH THE SOILS ENGINEER.
11. GRADING AND EXCAVATION ACTIVITIES SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT REQUIREMENTS & PERMIT REQUIREMENTS OF THE CITY.
12. PROPOSED SPOT GRADES ARE FLOW-LINE FINISHED GRADE ELEVATIONS, UNLESS OTHERWISE NOTED.
13. GRADES OF WALKS SHALL BE INSTALLED WITH 5% MAX. LONGITUDINAL SLOPE AND 1% MIN. AND 2% MAX. CROSS SLOPE, UNLESS OTHERWISE NOTED.
14. PROPOSED SLOPES SHALL NOT EXCEED 3:1 UNLESS INDICATED OTHERWISE ON THE DRAWINGS. MAXIMUM SLOPES IN MAINTAINED AREAS IS 4:1.
15. IF EXCESS OR SHORTAGE OF SOIL MATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS SOIL MATERIAL OFF THE SITE TO AN AREA SELECTED BY THE CONTRACTOR, OR IMPORT SUITABLE MATERIAL TO THE SITE.
16. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
17. EXCAVATE TOPSOIL FROM AREAS TO BE FURTHER EXCAVATED OR REGRADED AND STOCKPILE IN AREAS DESIGNATED ON THE SITE. THE CONTRACTOR SHALL SALVAGE ENOUGH TOPSOIL FOR RESPREADING ON THE SITE AS SPECIFIED. EXCESS TOPSOIL SHALL BE PLACED IN EMBANKMENT AREAS, OUTSIDE OF BUILDING PADS, ROADWAYS AND PARKING AREAS. THE CONTRACTOR SHALL SUBCUT CUT AREAS, WHERE TURF IS TO BE ESTABLISHED, TO A DEPTH OF 6 INCHES. RESPREAD TOPSOIL IN AREAS WHERE TURF IS TO BE ESTABLISHED TO A MINIMUM DEPTH OF 6 INCHES.
18. PRIOR TO PLACEMENT OF THE AGGREGATE BASE, A TEST ROLL WILL BE REQUIRED ON THE STREET AND/OR PARKING AREA SUBGRADE. THE CONTRACTOR SHALL PROVIDE A LOADED TANDEM AXLE TRUCK. THE TEST ROLLING SHALL BE AT THE DIRECTION OF THE SOILS ENGINEER AND SHALL BE COMPLETED IN AREAS AS DIRECTED BY THE SOILS ENGINEER.
19. TOLERANCES: THE BUILDING SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.20 FOOT ABOVE, OR 0.20 FOOT BELOW, THE PRESCRIBED ELEVATION AT ANY POINT WHERE MEASUREMENT IS MADE. THE STREET OR PARKING AREA SUBGRADE FINISHED SURFACE ELEVATION SHALL NOT VARY BY MORE THAN 0.10 FOOT ABOVE, OR 0.10 FOOT BELOW, THE PRESCRIBED ELEVATION OF ANY POINT WHERE MEASUREMENT IS MADE. AREAS WHICH ARE TO RECEIVE TOPSOIL SHALL BE GRADED TO WITHIN 0.30 FOOT ABOVE OR BELOW THE REQUIRED ELEVATION, UNLESS DIRECTED OTHERWISE BY THE ENGINEER. TOPSOIL SHALL BE GRADED TO PLUS OR MINUS ONE INCH OF THE SPECIFIED THICKNESS.
20. MAINTENANCE: THE CONTRACTOR SHALL PROTECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION, AND KEEP AREA FREE OF TRASH AND DEBRIS. CONTRACTOR SHALL REPAIR AND REESTABLISH GRADES IN SETTLED, ERODED AREAS TO SPECIFIED TOLERANCES, DURING THE CONSTRUCTION, IF REQUIRED, AND DURING THE WARRANTY PERIOD, ERODED AREAS WHERE TURF IS TO BE ESTABLISHED SHALL BE RESEED AND MULCHED.

CITY APPLICATION SET
(NOT FOR CONSTRUCTION)

REV. NO.	DATE	BY	CHK	DESCRIPTION
1	6/8/22	TRH	BLS	REVISED PER CITY DRC REVIEW



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

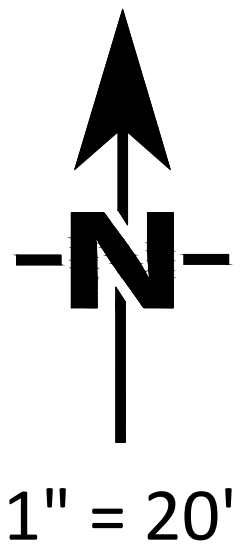
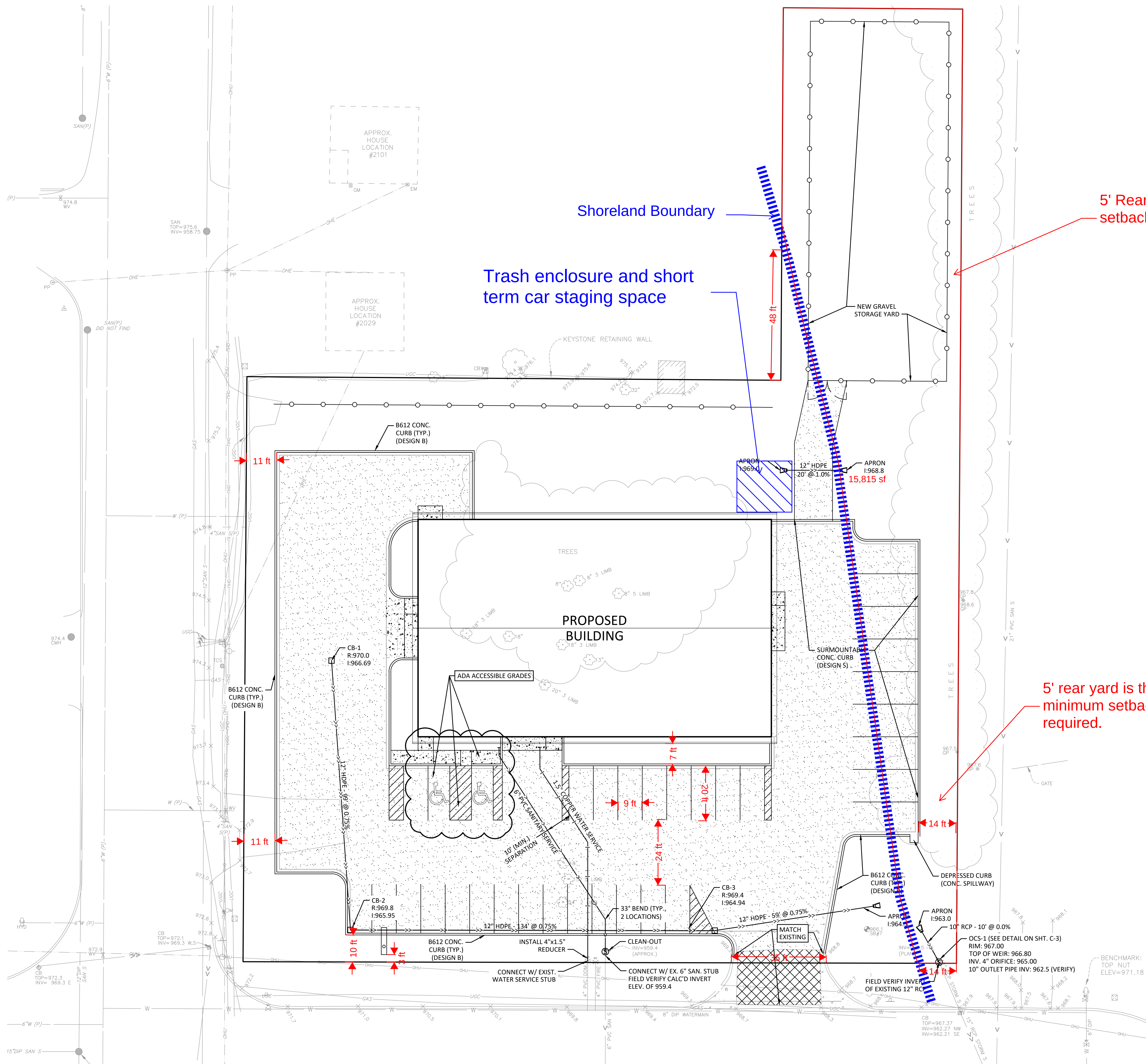
NOT FOR CONSTRUCTION

NAME Robert L. Swanson LIC. NO. 24094 DATE 5/31/22

DESIGNED
BLS
DRAWN
TRH
CHECKED
BLS



GRADING & EROSION CONTROL PLAN	SHEET
MALECHA AUTO BODY	C-1

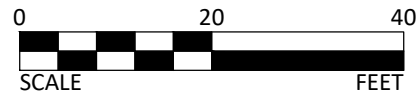


	EXISTING CONCRETE
	PROVIDE 2ND LIFT BITUM. WEAR COURSE
	NEW CONCRETE SLAB
	NEW ASPHALT PAVING

- SITE LAYOUT, PAVING, & UTILITY NOTES:**
- CONTRACTOR SHALL VERIFY LOCATIONS AND LAYOUT OF ALL SITE ELEMENTS PRIOR TO BEGINNING CONSTRUCTION.
 - THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, INCLUDING A RIGHT-OF-WAY AND ACCESS PERMIT.
 - THE CONTRACTOR SHALL VERIFY RECOMMENDATIONS NOTED IN THE GEO TECHNICAL REPORT PRIOR TO INSTALLATION OF SITE IMPROVEMENT MATERIALS.
 - THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OR SAMPLES AS SPECIFIED FOR REVIEW AND APPROVAL BY THE ENGINEER PRIOR TO FABRICATION FOR ALL PREFABRICATED SITE IMPROVEMENT MATERIALS SUCH AS, BUT NOT LIMITED TO THE FOLLOWING, FURNISHINGS, PAVEMENTS, WALLS, MANHOLES, AND CATCH BASINS.
 - PEDESTRIAN CURB RAMPS SHALL BE CONSTRUCTED WITH TRUNCATED DOME LANDING AREAS IN ACCORDANCE WITH A.D.A. REQUIREMENTS-SEE DETAIL.
 - ALL PARKING LOT PAINT STRIPPING TO BE WHITE, 4" WIDE TYP.
 - ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. CONTACT "GOPHER STATE ONE CALL" (651-454-0002 OR 800-252-1166) FOR UTILITY LOCATIONS, 48 HOURS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REPAIR OR REPLACE ANY UTILITIES THAT ARE DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.
 - SEE ARCHITECTURAL SITE PLAN FOR HORIZONTAL DIMENSIONS AND LAYOUT.
 - CONTRACTOR SHALL FIELD VERIFY LOCATION AND ELEVATION OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF DISCREPANCIES OR VARIATIONS FROM THE PLANS.
 - UTILITY INSTALLATION SHALL CONFORM TO THE CURRENT EDITION OF "STANDARD SPECIFICATIONS FOR WATER MAIN AND SERVICE LINE INSTALLATION" AND "SANITARY SEWER AND STORM SEWER INSTALLATION" AS PREPARED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM), AND SHALL CONFORM WITH THE REQUIREMENTS OF THE CITY AND THE PROJECT SPECIFICATIONS.
 - ALL WATER PIPE SHALL BE COPPER TUBING, TYPE K, UNLESS SHOWN OTHERWISE ON PLAN DRAWINGS.
 - ALL SANITARY SEWER SHALL BE SDR 26 POLYVINYL CHLORIDE (PVC) ASTM D3034 & F679, UNLESS OTHERWISE NOTED.
 - ALL STORM SEWER PIPE SHALL BE HDPE ASTM F714 & F2306 WITH ASTM D3212 SPEC FITTINGS UNLESS OTHERWISE NOTED.
 - UTILITIES ON THE PLAN ARE SHOWN TO WITHIN 5' OF THE BUILDING FOOTPRINT. THE CONTRACTOR IS ULTIMATELY RESPONSIBLE FOR THE FINAL CONNECTION TO BUILDING LINES. COORDINATE WITH ARCHITECTURAL AND MECHANICAL PLANS.
 - CATCH BASIN AND MANHOLE RIM ELEVATIONS IN PAVED AREAS SHALL BE SUMPED 0.04 FEET. ALL CATCH BASIN RIMS IN GUTTERS SHALL BE SUMPED 0.15 FEET. RIM ELEVATIONS SHOWN ON THIS PLAN DO NOT REFLECT SUMPED ELEVATIONS.
 - A MINIMUM OF 3 FEET OF COVER IS REQUIRED OVER ALL WATERMAIN, UNLESS OTHERWISE NOTED. EXTRA DEPTH MAY BE REQUIRED TO MAINTAIN A MINIMUM OF 18" VERTICAL SEPARATION TO SANITARY OR STORM SEWER LINES. EXTRA DEPTH WATERMAIN IS INCIDENTAL.
 - A MINIMUM OF 18 INCHES OF VERTICAL SEPARATION AND 10 FEET OF HORIZONTAL SEPARATION IS REQUIRED FOR ALL UTILITIES, UNLESS OTHERWISE NOTED.
 - ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE IN ACCORDANCE WITH CITY STANDARDS AND COORDINATED WITH THE CITY PRIOR TO CONSTRUCTION.
 - COORDINATE LOCATIONS AND SIZES OF UTILITY SERVICE CONNECTIONS WITH THE MECHANICAL DRAWINGS.
 - CONTRACTOR SHALL COORDINATE ALL WORK WITH PRIVATE UTILITY COMPANIES.
 - CONTRACTOR SHALL COORDINATE CONNECTION OF IRRIGATION SERVICE TO UTILITIES. COORDINATE THE INSTALLATION OF IRRIGATION SLEEVES NECESSARY AS TO NOT IMPACT INSTALLATION OF UTILITIES. IRRIGATION LINE LOCATIONS SHOWN ON LANDSCAPE PLAN.
 - CONTRACTOR SHALL MAINTAIN AS-BUILT PLANS THROUGHOUT CONSTRUCTION AND SUBMIT THESE PLANS TO ENGINEER UPON COMPLETION OF WORK.
 - ALL JOINTS AND CONNECTIONS IN STORM SEWER SYSTEM SHALL BE GASTIGHT OR WATERTIGHT. APPROVED RESILIENT RUBBER JOINTS MUST BE USED TO MAKE WATERTIGHT CONNECTIONS TO MANHOLES, CATCHBASINS, OR OTHER STRUCTURES.
 - ALL PORTIONS OF THE STORM SEWER SYSTEM LOCATED WITHIN 10 FEET OF THE BUILDING OR WATER SERVICE LINE MUST BE TESTED IN ACCORDANCE WITH MN RULES, CHAPTER 4714, SECTION 1109.0.

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REV. NO.	DATE	BY	CHK	DESCRIPTION
1	6/8/22	TRH	BLS	REVISED PER CITY DRC REVIEW



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NOT FOR CONSTRUCTION

NAME: Robert L. Swanson LIC. NO.: 24094 DATE: 5/31/22

DESIGNED
BLS

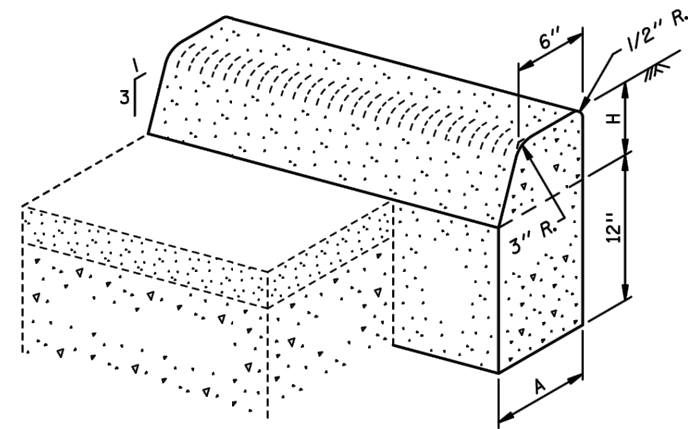
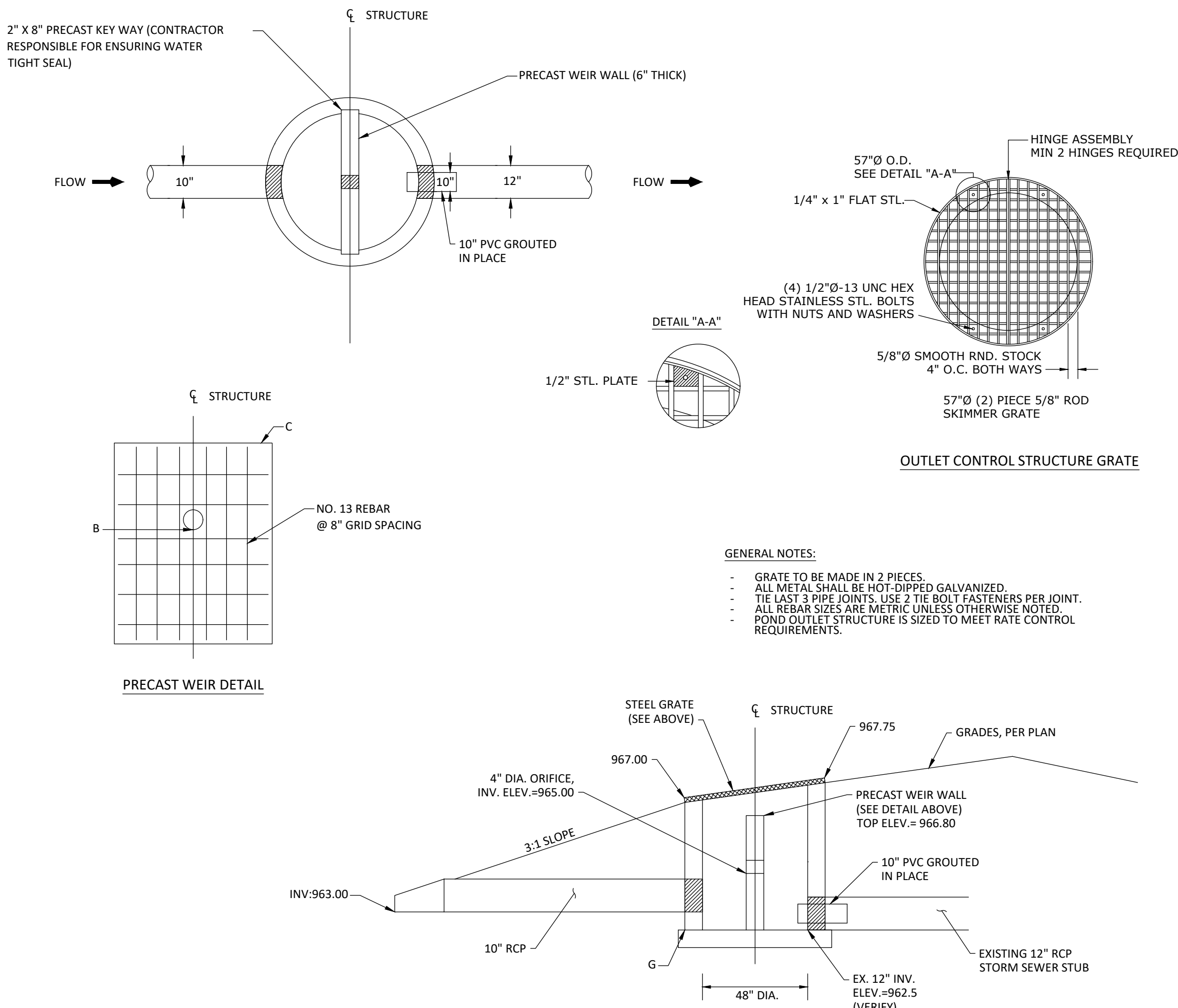
DRAWN
TRH

CHECKED
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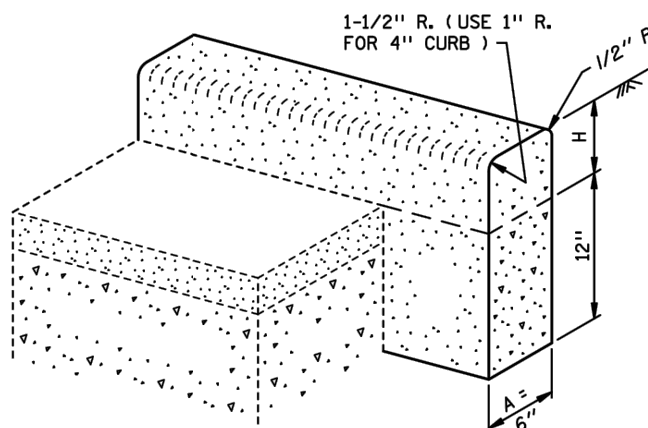
PAVING & SITE UTILITIES PLAN	SHEET
MALECHA AUTO BODY	C-2

POND OUTLET CONTROL STRUCTURE DETAIL



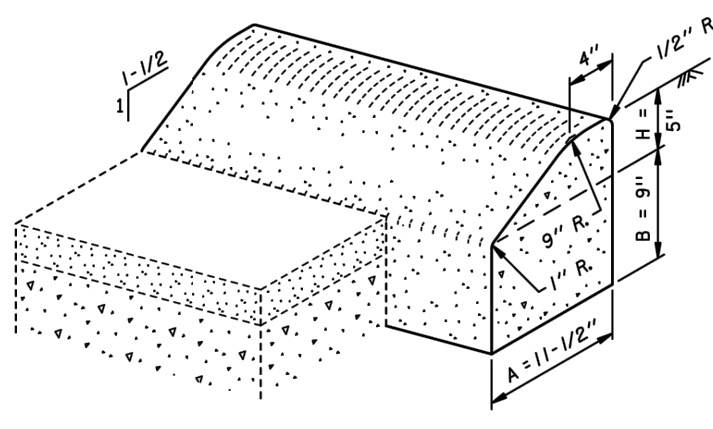
DESIGN NO.	CURB WIDTH A	CURB HEIGHT H	CONCRETE	
			CU. YDS. PER LIN. FT.	LIN. FT. PER CU. YD.
B4	7-3/8"	4"	0.0294	34.0
B6	8"	6"	0.0352	28.4
B8	8-5/8"	8"	0.0414	24.2
B9	9"	9"	0.0449	22.3
B10	9-3/8"	10"	0.0485	20.6

DESIGN B



DESIGN NO.	CURB HEIGHT H	CONCRETE	
		CU. YDS. PER LIN. FT.	LIN. FT. PER CU. YD.
V4	4"	0.0247	40.5
V6	6"	0.0277	36.1
V8	8"	0.0308	32.5
V9	9"	0.0323	31.0
V10	10"	0.0338	29.6

DESIGN V



DESIGN NO.	CONCRETE	
	CU. YDS. PER LIN. FT.	LIN. FT. PER CU. YD.
S5	0.0364	27.5

DESIGN S

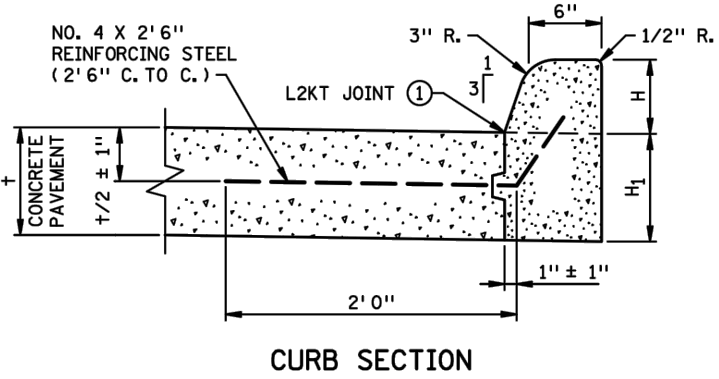
NOTE:
ALL CURB SLOPE MEASUREMENTS ARE IN RELATION TO ADJACENT PAVEMENT SLOPE.

APPROVED JULY 25, 2011
STATE DESIGN ENGINEER

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
CONCRETE CURB
DESIGN B, DESIGN V, DESIGN S, DESIGN DR AND DESIGN BR

SPECIFICATION
REFERENCE
2531

STANDARD
PLATE
NO.
7020K
1 OF 2

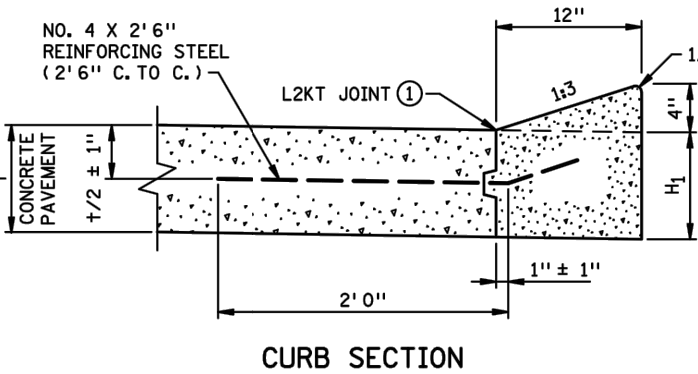


CURB SECTION

TABLE OF CU. YDS. PER LIN. FT. ③

DIMENSION H ₁	DIMENSION H					
	4"	6"	7"	8"	9"	10"
8"	0.0222	0.0275	0.0303	0.0332	0.0361	0.0392
9"	0.0240	0.0295	0.0324	0.0354	0.0384	0.0415
10"	0.0259	0.0315	0.0345	0.0375	0.0407	0.0439
11"	0.0277	0.0335	0.0365	0.0397	0.0429	0.0462
12"	0.0295	0.0355	0.0387	0.0419	0.0452	0.0486

DESIGN BRH-H₁
(EXAMPLE: DESIGN BR6-9)



CURB SECTION

DESIGN DR4-H₁
(EXAMPLE: DESIGN DR4-9)

TABLE OF CU. YDS. PER LIN. FT. ③

DIMENSION H ₁	CU. YDS. CONC.	
	8"	0.0313
9"	0.0344	
10"	0.0374	
11"	0.0404	
12"	0.0435	

NOTES:
ALL CURB SLOPE MEASUREMENTS ARE IN RELATION TO ADJACENT PAVEMENT SLOPE.
SEE STANDARD PLAN 5-297.221 FOR STANDARD PAVEMENT KEYWAY DETAIL.
JOINT MATERIAL SHALL BE OF 1/2" THICKNESS.
1 THICKNESS REQUIRED AT 1/2" EXPANSION JOINTS AND 3 THICKNESSES REQUIRED AT 1" EXPANSION JOINTS.
① SEE PLANS FOR SEALING REQUIREMENTS.
② 1/2" LESS THAN CURB DIMENSIONS FOR APPLICATION OF SEALER.
③ BASED ON A 2% PAVEMENT CROSS SLOPE AND STANDARD KEYWAY DESIGN.

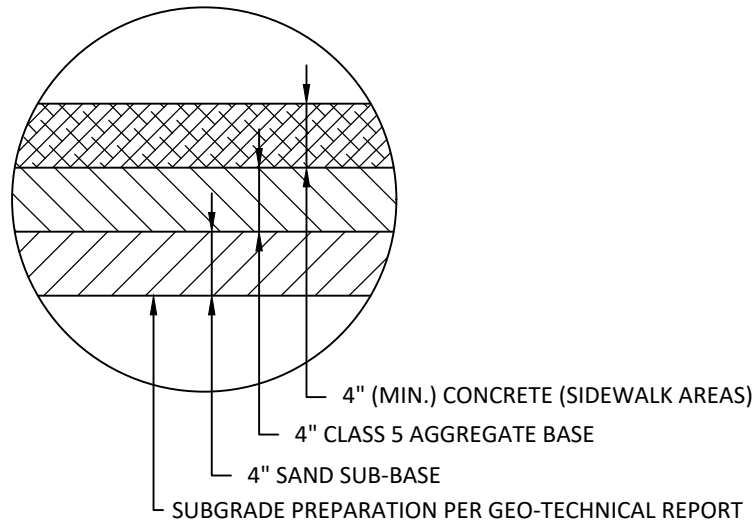
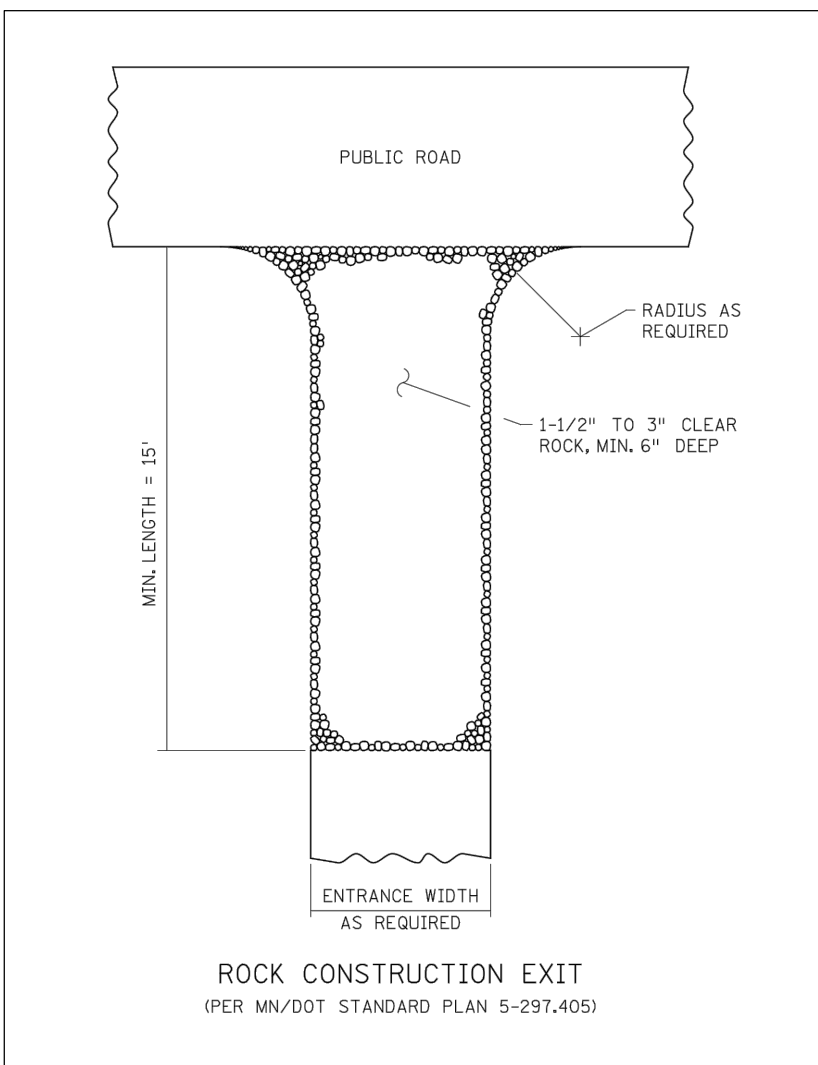
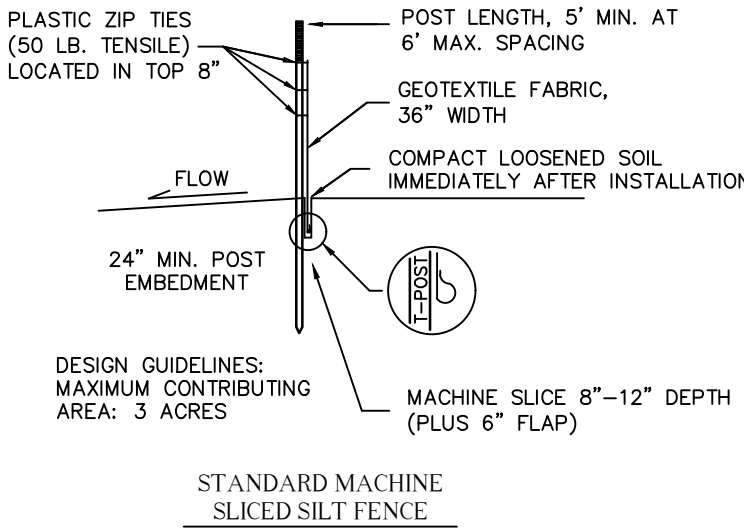
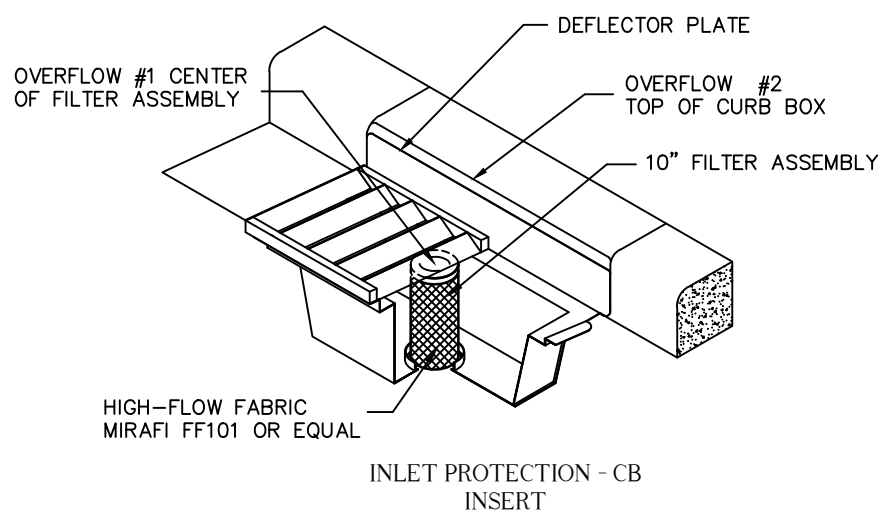
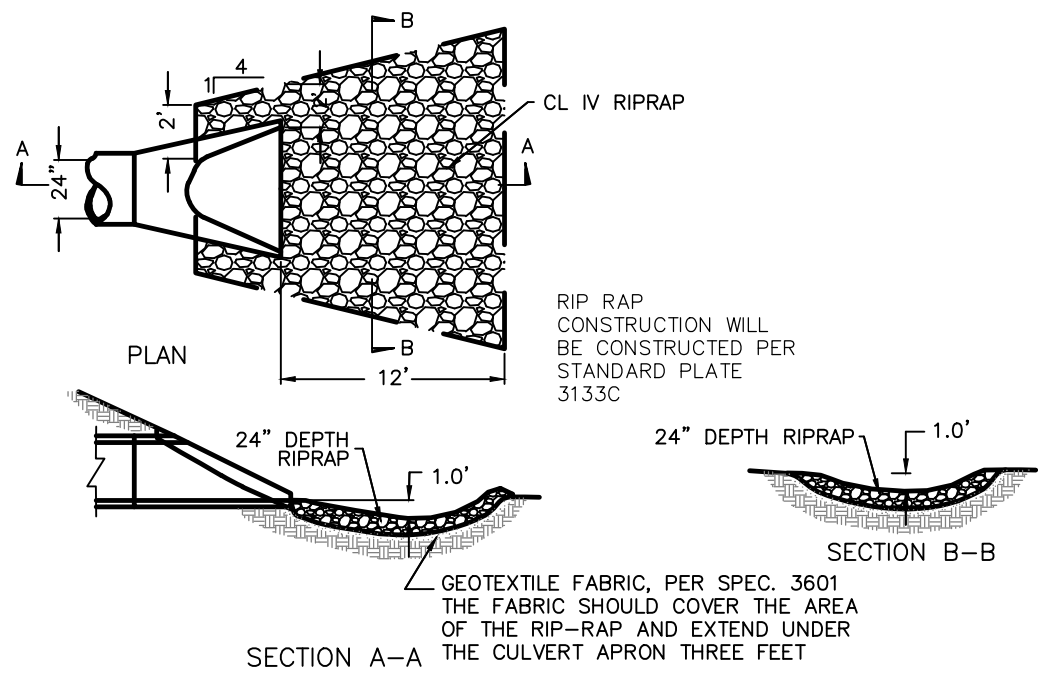
ALTERNATE KEYWAY DETAIL

APPROVED JULY 25, 2011
STATE DESIGN ENGINEER

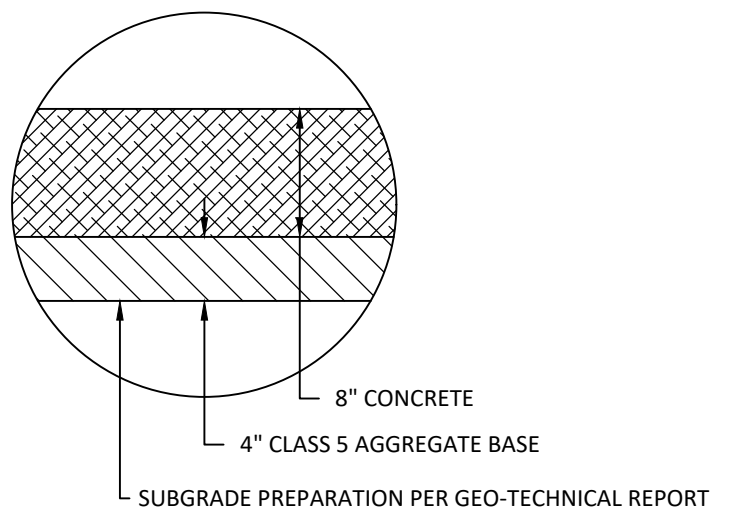
STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
CONCRETE CURB
DESIGN B, DESIGN V, DESIGN S, DESIGN DR AND DESIGN BR

SPECIFICATION
REFERENCE
2531
REVISED
3-22-2013 M.J.E.

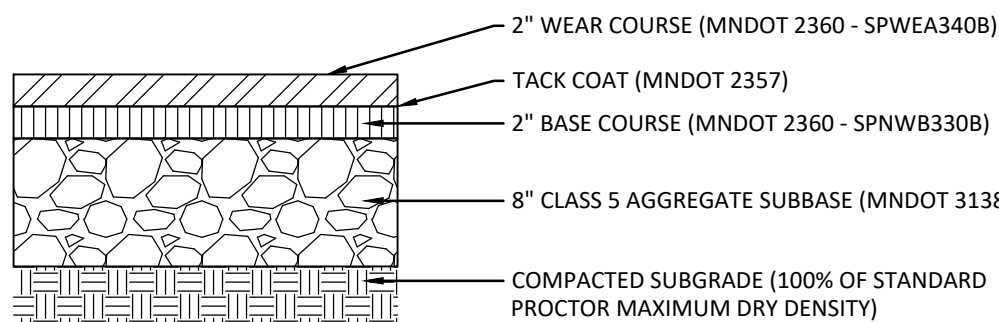
STANDARD
PLATE
NO.
7020K
2 OF 2



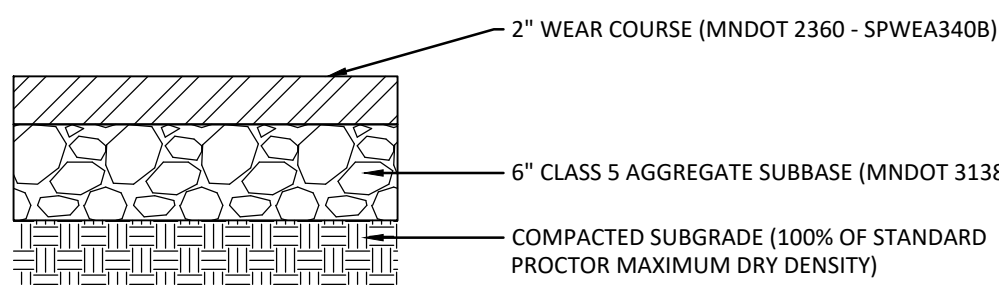
CONCRETE PAVING FOR PEDESTRIAN WALKWAYS & RAMPS



CONCRETE PAVING FOR VEHICULAR DRIVEWAYS & APRONS



BITUMINOUS PAVEMENT FOR PARKING & DRIVE AISLES



BITUMINOUS PAVEMENT FOR STORAGE ACCESS DRIVE

REV. NO.	DATE	BY	CHK	DESCRIPTION
1	6/8/22	TRH	BLS	REVISED PER CITY DRC REVIEW

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NOT FOR CONSTRUCTION

NAME Robert L. Swanson LIC. NO. 24094 DATE 5/31/22

DESIGNED
BLS
DRAWN
TRH
CHECKED
BLS



Stonebrooke

STANDARD DETAILS

MALECHA AUTO BODY

SHEET
C-3



APPLICATION FOR REQUESTED ACTION
Conditional Use Permit

Planning Case # _____
Filing Fee _____
Hearing Date _____

SITE ADDRESS 2005 2nd Ave. NW

APPLICANT William Malecha E-MAIL williammalecha@gmail.com

PHONE _____ (H) 507-838-8166 (W) _____ (FAX) _____

ADDRESS 1320 2nd Ave. NW Faribault, MN. 55021

DEVELOPER (if other than applicant) _____

PHONE _____ (H) _____ (W) _____ (FAX) _____

ADDRESS _____

LEGAL DESCRIPTION Lot 1 Block 1 of Kuntze Addition

ACREAGE/SIZE OF PROPERTY Approximately 1.5 acres

CURRENT ZONING C-2

EXISTING USE OF PROPERTY Vacant (last used as residential)

PROPOSED USE OF PROPERTY Auto Body Repair
(Including number of units per acre and types of uses if mixed use)

IDENTIFY ALL ADJACENT LAND USES Residential & Commercial

SIGNATURE OF OWNER [Signature] DATE 5-31-2022

SIGNATURE OF APPLICANT _____ DATE _____
(Must submit proof of property control)

**PLEASE PROVIDE ALL INFORMATION REQUESTED ON THIS FORM
AND THE ATTACHED CHECKLIST.**

Revised 8/26/2016

CONDITIONAL USE PERMIT
Required Submittals

◆ **Site plan**

- ☐ Drawn to scale, with scale noted
- ☐ Date and North arrow
- ☐ Boundaries and dimensions shown graphically
- ☐ Location of any streets, public trails, railroads, or waterways
- ☐ Present and proposed topography of the site and adjacent areas within 50 feet by contour lines at an interval of not more than 5 feet, and by use of directional arrows, the proposed flow of storm water runoff from the site
- ☐ Location of existing and proposed structures (height and gross floor area noted), with distance from property lines noted
- ☐ Location and dimensions of existing and proposed off-street parking and loading spaces, curb cuts, aisles, and walkways, with distance from property lines noted
- ☐ Location, height, and material for screening walls and fences
- ☐ Type of surfacing and base course proposed for all parking area, loading areas, and walkways
- ☐ Location of all existing and proposed water lines, hydrants, sanitary sewer lines and storm drainage systems
- ☐ Existing and proposed public streets or rights-of-way, easements, or other reservations of land on the site
- ☐ Location and method of screening of outdoor trash storage areas
- ☐ Location and size of all proposed signage
- ☐ Location and height of proposed lighting facilities
- ☐ Elevation views of all proposed buildings or structures, with building materials and proposed colors noted
- ☐ Indicate the ultimate development of the site and proposed development phases when a site is to be developed in stages
- ☐ Landscaping plan

◆ **Required supplemental information**

- ☐ Describe the project in detail (Include: Size of all structures existing and proposed and any modifications to existing, type of business and associated storage/display, type of clientele, hours of operation, number of employees, number of customer seats if food service related, handling of deliveries, unique site characteristics, proposed modifications to topography and/or drainage, development schedule, etc.)
- ☐ Written summary explaining how the proposed use is compatible with the neighborhood
- ☐ Written summary explaining if and how the proposed development will impact traffic
- ☐ Written statement as to why you feel the conditional use permit should be approved
- ☐ Other information as required

◆ **Filing fee**

SIGNATURE OF APPLICANT _____

DATE 5-31-2022

Planning case # _____

PROJECT NARRATIVE
For
MALECHA AUTO BODY
2005 2nd Ave. NW

PROJECT DESCRIPTION

Willie Malecha proposes to construct a 10,400 SF building on this site for his auto body repair business & car sales lot. The building will have (9) repair bays, paint booth, wash bay, offices, storage & mechanical. Site improvements will provide for car sales lot, secured storage for vehicles in que for repair and (25) parking spaces for employees & customers. All drives & parking areas will have bituminous paving with perimeter concrete curb. The secured storage lot will have gravel surface with 6' tall chain link fencing including privacy slats. Building exterior finishes will be a mix of masonry veneer, stucco finished metal panels on south & west facades. Ribbed metal panels will be utilized on east & north facades. Proposed signage will be building mounted on the west facade. Exterior lighting will be building mounted with cut-off to the adjacent residential use.

BUSINESS OPERATIONS

Malecha Auto Body's hours of operation are 7:30 am – 5:00 pm Monday through Friday. Typical customers will be bringing their vehicle for estimates & auto body repair. Some customers will be viewing & accepting delivery of a vehicle. At full employment the facility will have 6 – 8 employees across all work disciplines. Most deliveries to this business are done after normal business hours utilizing single axle & van trucks.

CUP REQUEST

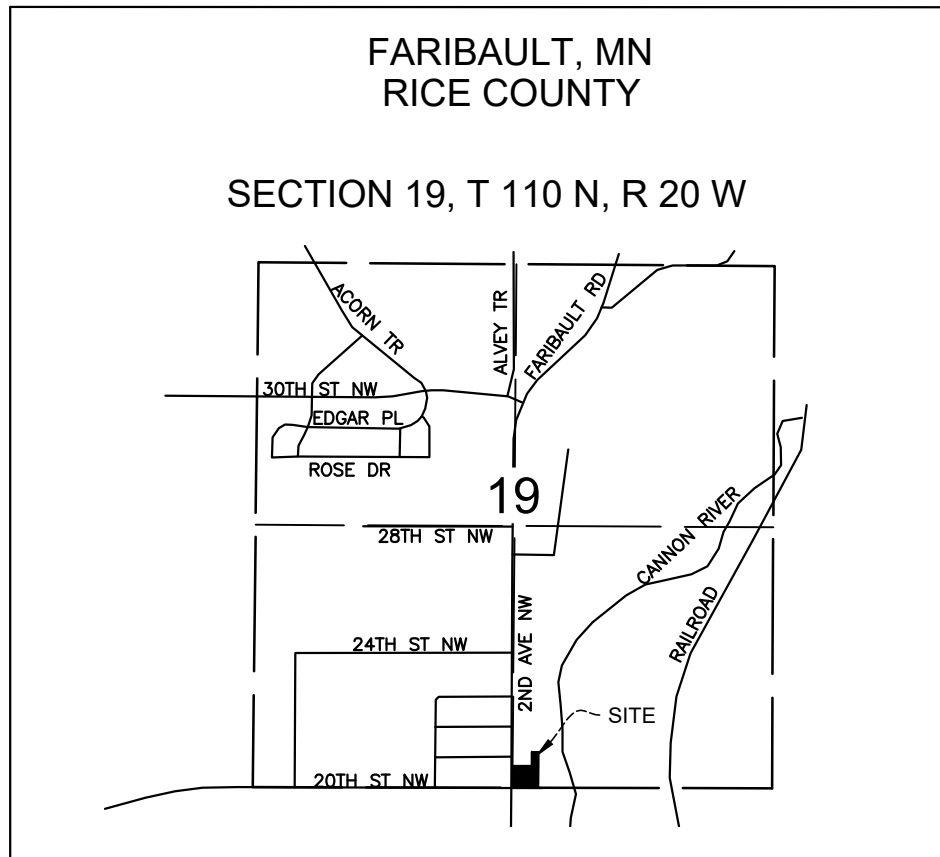
The city's current Comprehensive Plan guides this property for Community Commercial & is currently zoned C-2 (Highway Commercial). The city's UDO defines this business operation as 'Automobile repair, major' and is allowed in C-2 district with Conditional Use permit.

Malecha Auto Body requests a Conditional Use Permit for this property allowing them to locate their auto body repair shop.

CUP discussion points:

1. Site is served by city water & sanitary sewer services, Xcel Energy electric & natural gas
2. Access to site will be from 20th St. NW which was reconstructed in 2021. Access to site was located & installed during 2021 construction. Access is approximately 190' east of intersection with 2nd Ave. NW
3. There is existing residential use to the north of this project. Building has been located on site to maximize the setback distance from property line (50' +). To further create a buffer to the adjacent residential property additional conifers are proposed to be planted & only a limited use delivery door is located on north side of building to reduce impact to residential use.
4. All auto body repair work will be performed inside of the building
5. Vehicles in que for repair are expected to be parked within the secured & screened storage area
6. Traffic volume is expected to be 40 – 50 vehicles per day (customers & employee)
7. Proposed use will be compatible with other surrounding auto centered businesses

May 27, 2022 -- 8:58am -- S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody -- City of Faribault -- Rice County)\Survey\Cadd_Files\00999PP01.dwg



VICINITY MAP

NOT TO SCALE

LEGEND

- MONUMENT FOUND
- IRON PIPE MONUMENT SET
- +1022.7 EXISTING SPOT ELEVATION
- ~ EXISTING CONTOURS
- † FIRE HYDRANT
- CATCH BASIN
- ⊗ SEWER MANHOLES
- ⌵ CURB STOP
- ⊠ UTILITY PEDESTAL
- ⊖ POWER POLE
- ⊕ SIGN
- ⊗ DECIDUOUS TREE
- W — WATER LINE
- > — SANITARY LINE
- >> — STORM LINE
- OHU — OVERHEAD LINE
- GAS — GAS LINE
- UGC — UGC LINE

EXISTING DRAINAGE AND UTILITY EASEMENT TO BE VACATED

LEGAL DESCRIPTION

Parcel 1:
Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

Parcel 2:
That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

Parcel 3:
Outlot A of Kuntze Addition, Rice County, Minnesota

ZONE:
C-2 -- HIGHWAY COMMERCIAL

Building Wall not House

SET BACK REQUIREMENTS:

- 25' FRONT HOUSE TO R.O.W.
- 10' SIDE HOUSE TO PROPERTY LINE (15' ABUTTING A RESIDENTIAL DISTRICT OR USE)
- 10' REAR HOUSE TO PROPERTY LINE
- 25' SIDE (CORNER LOT)

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE
OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO
BEAR N32°22'34"E.

OWNER:

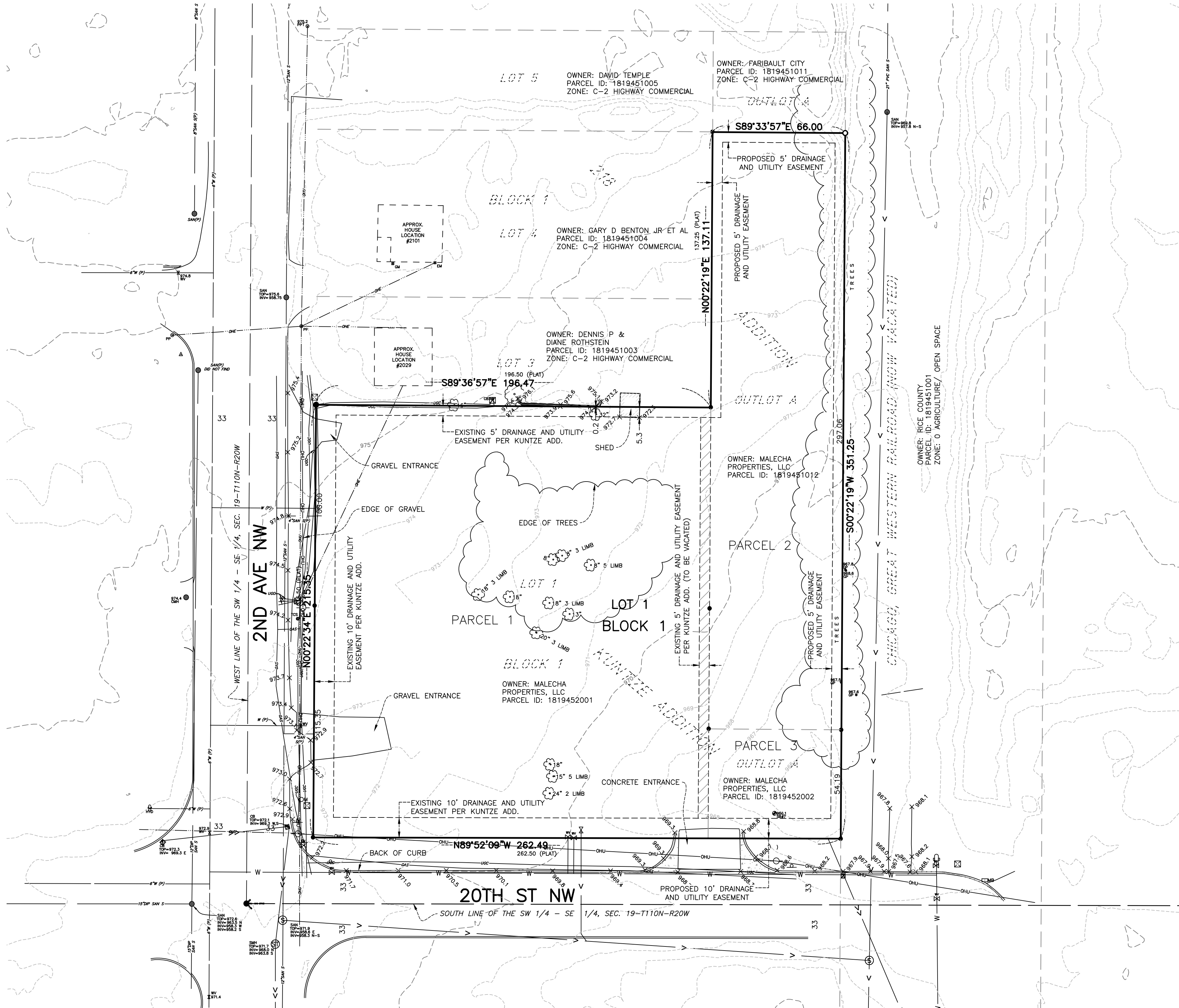
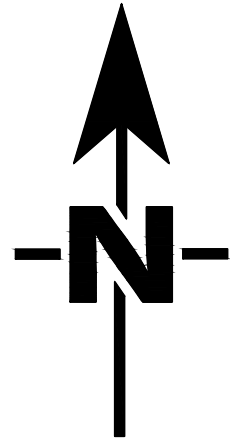
Malecha Properties LLC
William P. Malecha, Owner/President
23227 Bagley Ave.
Faribault, MN 55021

SURVEYOR:

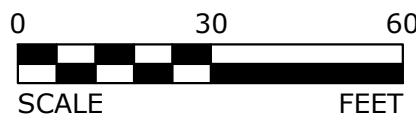
Stonebrooke Engineering, Inc.
12279 Nicollet Ave. S.
Burnsville, MN 55337
Phone: 952-402-9202
Fax: 952-403-6803
www.stonebrookeengineering.com

LOT AREA:
65,421 SQUARE FEET

MAB ADDITION PRELIMINARY PLAT
2005 2ND AVENUE NW, FARIBAULT, MN



REV. NO.	DATE	BY	CHK	DESCRIPTION



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Aaron J. Mages
NAME Aaron J. Mages LIC. NO. 45507 DATE 05-27-2022

DESIGNED

DRAWN

ACR

CHECKED

AJM



Stonebrooke

PRELIMINARY PLAT

LOT 1, BLOCK 1, MAB ADDITION

FOR: RICE COUNTY, MINNESOTA

SHEET

1

OF

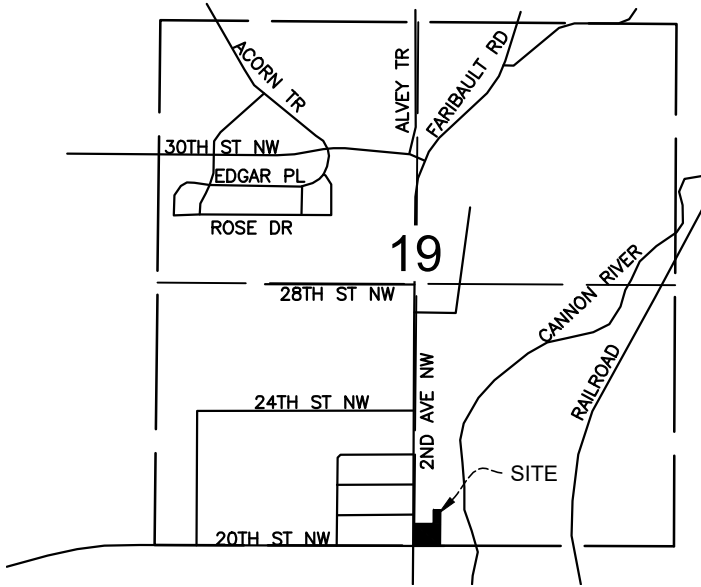
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MAB ADDITION

C.R. DOC. NO.

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

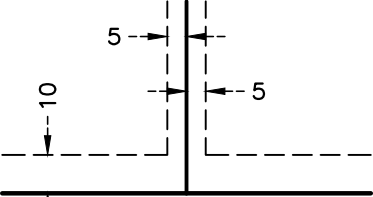
NOT TO SCALE

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE
OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO
BEAR N32°22'34"E.

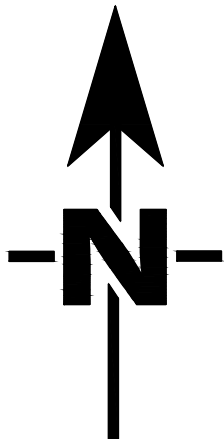
LEGEND

- 3/4" X 18" IRON PIPE MONUMENT
SET, MARKED BY LICENSE NO. 45507
(UNLESS NOTED OTHERWISE)
- MONUMENT FOUND
- CAST IRON MONUMENT FOUND

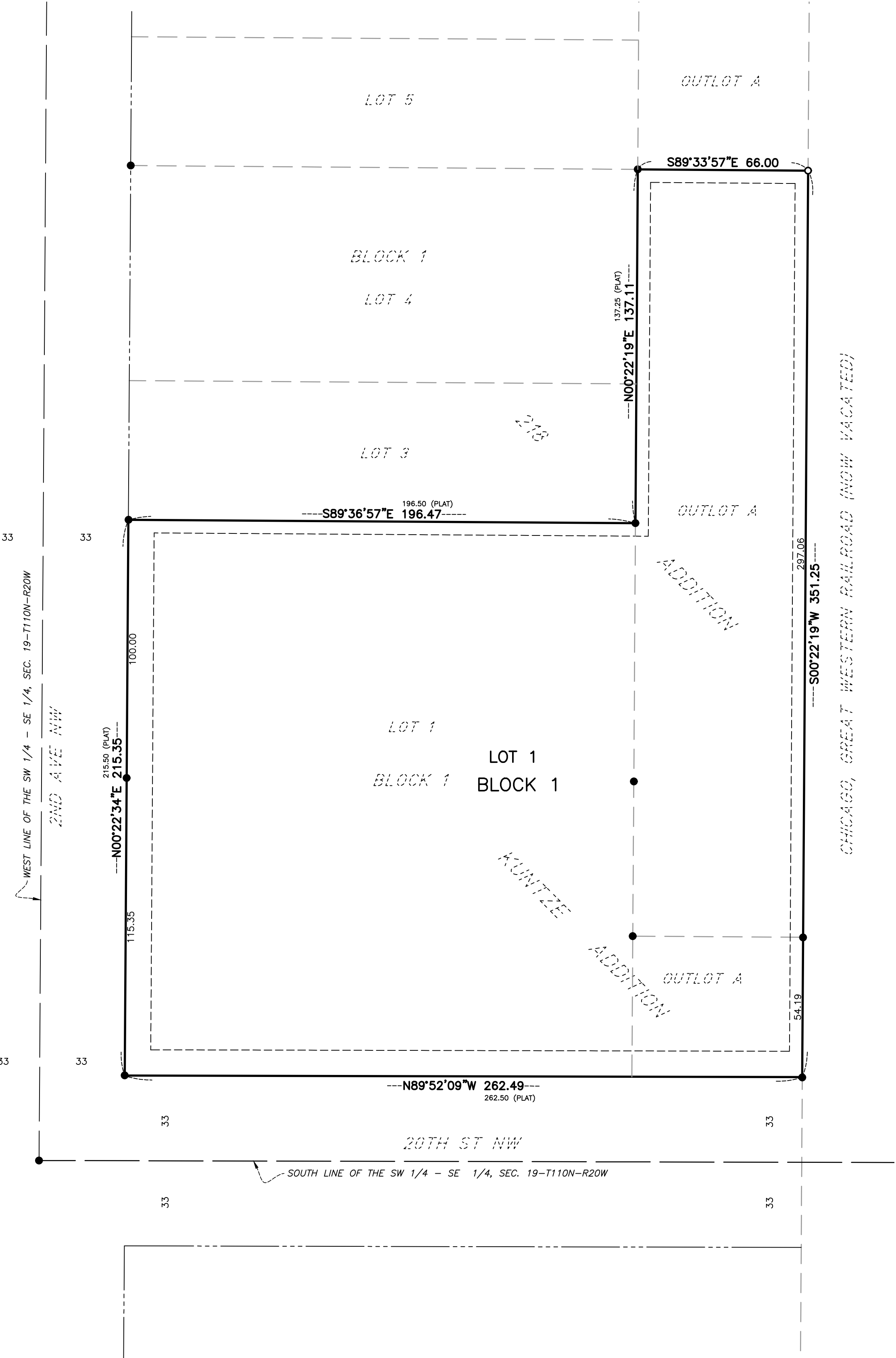
DRAINAGE AND UTILITY EASEMENTS (D.U.E.) ARE
SHOWN THUS:



BEING 5 FEET IN WIDTH, ADJOINING SIDE AND
REAR LOT LINES, AND 10 FEET IN WIDTH,
ADJOINING LOT LINES ALONG RIGHT OF WAY LINES,
UNLESS OTHERWISE INDICATED, AS SHOWN ON
PLAT.



0 30 60
SCALE IN FEET



KNOW ALL PERSONS BY THESE PRESENTS: That Malecha Properties LLC, a Minnesota corporation, owners of the following described property situated in the City of Faribault, County of Rice, State of Minnesota to wit:

Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

AND

That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

AND

Outlot A of Kuntze Addition, Rice County, Minnesota

Has caused the same to be surveyed and platted as MAB ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said Malecha Properties LLC, a Minnesota corporation, has caused these presents to be signed by its proper officers this _____, day of _____, 20____.

Signed: Malecha Properties LLC

William P. Malecha, President

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by William P. Malecha, President of Malecha Properties LLC, a Minnesota corporation, on behalf of the corporation.

Notary Public, _____ County, MN.
My commission expires _____

SURVEYOR'S CERTIFICATE

I, Aaron Mages, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota: that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____, day of _____, 20____.

Aaron Mages, Land Surveyor
Minnesota License No. 45507

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this _____ day of _____, 20____ by Aaron Mages, Land Surveyor.

Notary Public, _____ County, MN.
My commission expires _____

CITY COUNCIL, CITY OF FARIBAULT, MINNESOTA

This plat of CANNON RIVER VIEW was approved and accepted by the City Council of the City of Faribault, Minnesota at a regular meeting thereof held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been recieved by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03 Subd. 2.

City Council of Faribault, Minnesota

By: Mayor

By: City Administrator

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20____.

Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20____.

Denise Anderson
Property Tax & Elections Director

COUNTY RECORDER, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Recorder for public record on this _____ day of _____, 20____ at _____ o'clock ____M. and was duly filed as Document Number _____.

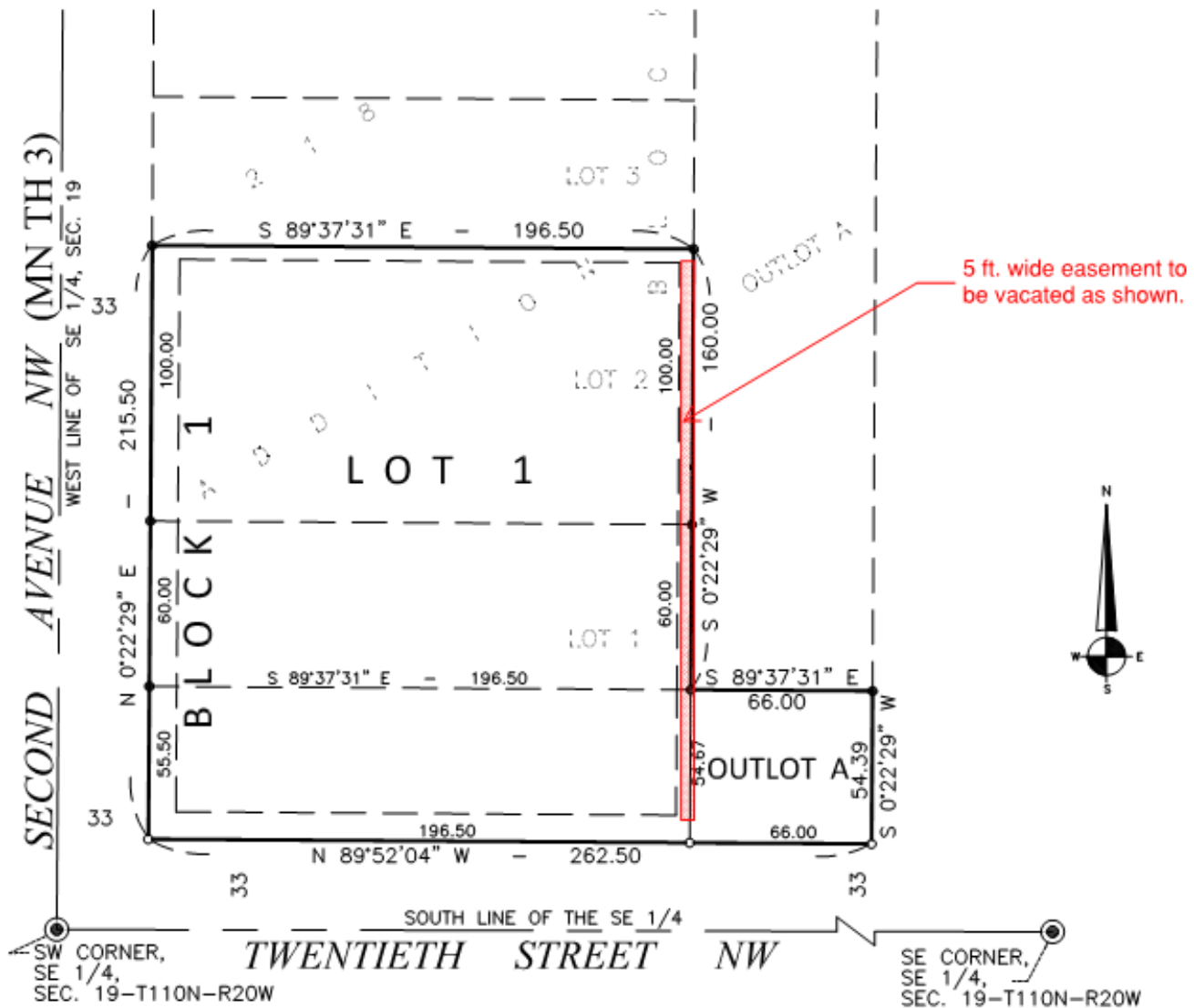
Michael Fangman
Rice County Recorder

REGISTRAR OF TITLES, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Registrar of Titles for public record on this _____ day of _____, 20____ at _____ o'clock ____M. and was duly filed as Document Number _____.

Michael Fangman
Rice County Registrar of Titles

KUNTZE ADDITION





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community and Economic Development Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: July 18, 2022
SUBJECT: i. Application for Vacation of an Un-needed Public Drainage and Utility Easement on Lot 1, Block 1, Kuntze Addition

Background:

This item is for consideration of an application to vacate un-needed public drainage and utility easements that were platted as part of the Kuntze Addition. This is the first of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW.

The Development Review Committee is recommending approval of the request. City Staff have prepared a draft ordinance with findings for approval and recommended conditions.

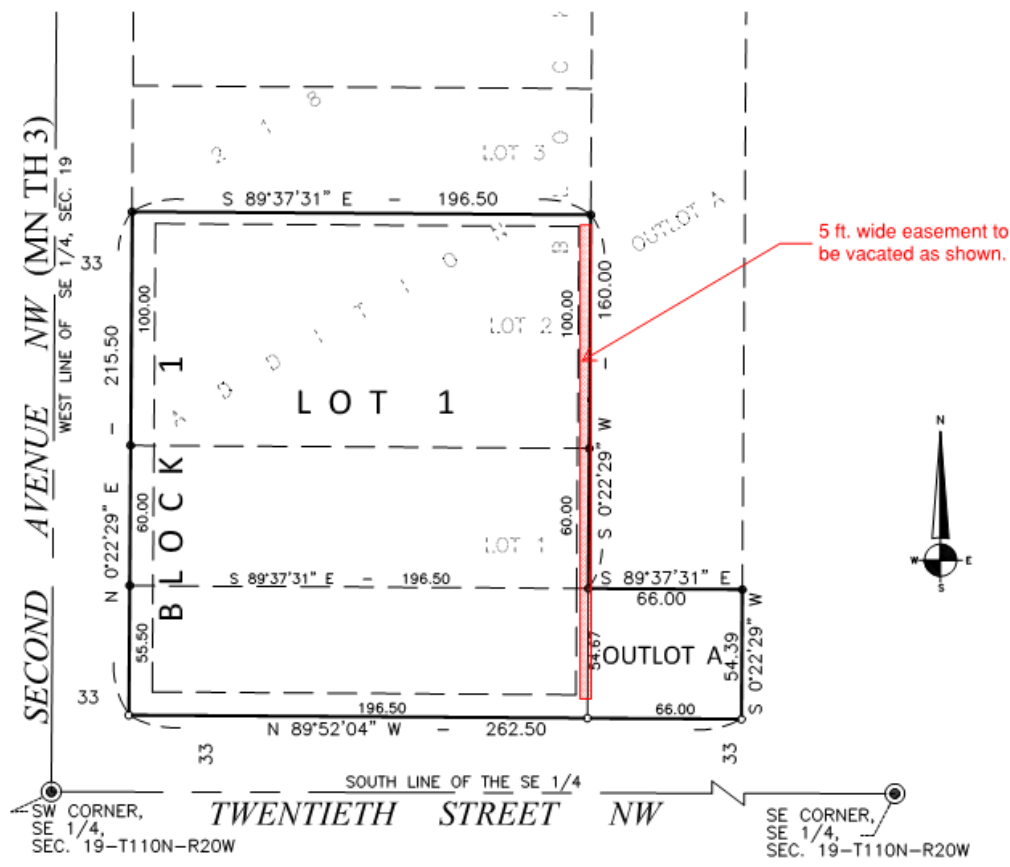
Recommendation:

Planning Commission approval of the draft ordinance with findings for approval of the vacation of un-needed public drainage and utility easements platted as part of the Kuntze Addition.

Attachments:

1. Depiction of Easement Vacation Area v2
2. Ord 2022-__ Vacating Certain Unused Perimeter Easement on Lot 1, Block 1, Kuntze Addition

KUNTZE ADDITION



**CITY OF FARIBAULT
ORDINANCE No. 2022-__**

**VACATE CERTAIN UNUSED PERIMETER EASEMENTS AND ACCESS
RESTRICTIONS ON LOT 1, BLOCK 1, KUNTZE ADDITION**

WHEREAS, William Malecha, property owner (Applicant), has applied to the City of Faribault (City) requesting that the City vacate an unused perimeter easement that were previously along the lot line and is no longer needed at this location addressed as 2005 2nd Avenue NW, legally described and graphically depicted in Exhibit A; and

WHEREAS, the applicant in this case has also applied to replat the subject property as MAB Additon, to combine the parcels into one commercial lot; and

WHEREAS, the City Engineer has determined that there is no public need to maintain the easements proposed for vacation in this application; and

WHEREAS, the City Development Review Committee reviewed the Applicant's request and also finds there is no public need to maintain the easements proposed for vacation in this application; and

WHEREAS, City Staff has made a report to the Planning Commission related to the Developer's request; and

WHEREAS, the Planning Commission, on the 18th day of July, 2022 following proper notice, held a public hearing regarding said requests; and

WHEREAS, following said public hearing, the Planning Commission recommended that the City Council approve the vacation request based on the following written findings as required by Section 2-540 of the City of Faribault Unified Development Ordinance:

- 1. No private rights will be injured or endangered because of said vacation.** The requested vacation will not adversely affect private rights in any manner. The Malecha Auto Body plat associated with this application will, re-establish or maintain required drainage and utility easements at the site.
- 2. The public will not suffer loss or inconvenience because of said vacation.** There is no public need to maintain the unused and unneeded public right of way easements, which the Developer has requested that the City vacate. The MAB Addition plat associated with this application will, re-establish required perimeter drainage and utility easements at the site which are adequate to serve adjacent properties.

3. No written objection was received, prior to the public hearing, from an adjacent property owner who did not join in the application. The proposed vacation will not adversely affect adjacent property owners.

WHEREAS, the City Council of the City of Faribault held a public meeting on July 26, 2022 for first reading in consideration of the Applicant's request, the Staff report, the summary results of the public hearing, and the written findings and recommendation of the Planning Commission related to the Applicant's request; and

WHEREAS, the City Council of the City of Faribault concurs with the recommendation and written findings of the Planning Commission as stated in the above recitals, and hereby makes the identical findings related to the vacation request; and

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings. The recitals set forth in this ordinance are incorporated into and made a part of this ordinance and, where applicable, constitute the findings of the Faribault City Council.

Section 2. Vacation. The unused right of way easements found along the east property line Lot 1, Block 1, of Kuntze Addition as described in Exhibit A and graphically depicted in Exhibit B are hereby vacated.

Section 3. Authorization to take Additional City Action. The Mayor, City Administrator, and the City's Consultants are hereby authorized and directed to take any and all additional steps and actions necessary and convenient to accomplish the intent of this ordinance.

Section 4. Effective Date. This ordinance shall be effective after its passage and publication, in accordance with Chapter 3 of the City Charter.

Public Hearing Date: July 18, 2022

First Reading: July 26, 2022

Publication Date: _____, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

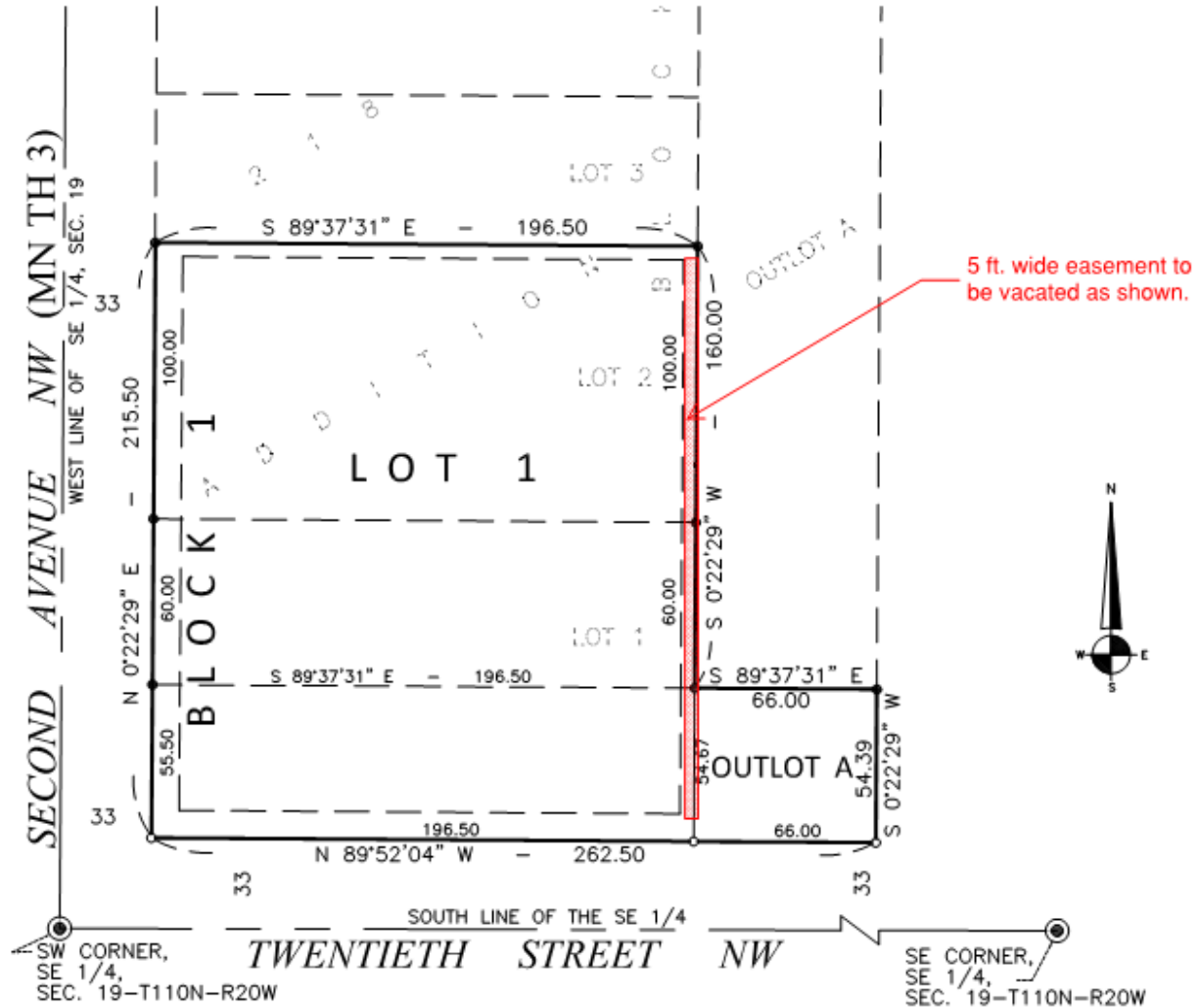
EXHIBIT A
Legal Description

Lot 1, Block 1, Kuntze Addition, Faribault, Rice County, Minnesota

Exhibit B

Graphic depiction of the easements and access restriction to be vacated

KUNTZE ADDITION





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community and Economic Development Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: July 18, 2022
SUBJECT: ii. Application for Preliminary and Final Plat Approval of MAB Addition

Background:

This item is for consideration of an application for Preliminary and Final Plat approval of MAB Addition. This is the second of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The subdivision will replatt two outlots and combine them with an adjoining commercial lot.

The Development Review Committee is recommending approval of the request. City Staff have prepared a draft resolution with findings for approval and recommended conditons.

Recommendation:

The City Staff recommends that the Planning Commission approve findings in support of the Preliminary and Final Plat approval for MAB Addition included in the draft resolution.

Attachments:

1. Resolution 2022-____ Preliminary and Final Plat MAB Additon
2. Preliminary Plat MAB Addtion
3. Final Plat MAB Addition

CITY OF FARIBAULT

RESOLUTION #2022-____

APPROVE THE PRELIMINARY AND FINAL PLATS OF MAB ADDITION

WHEREAS, William Malecha, property owner / applicant (Applicant) has requested preliminary and final plat approval to replat two out lots and combine them with an existing commercial lot located at 2005 2nd Avenue NW, and legally described in Exhibit A; and

WHEREAS, City Staff has completed a review of said applications and made a report to the Planning Commission, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 18th day of July, 2022, following proper notice, held a public hearing regarding the applications, and following said public hearing made findings and recommended approval of the applications; and

WHEREAS, the City Council, on the 26th day of July, 2022, at a public meeting considered the application; and

WHEREAS, based upon said report, hearing, and recommendation, the City Council hereby finds that approval of the preliminary plat for MAB Addition as depicted on Exhibit A, subject to the attached conditions of approval, is appropriate with the following findings as required by Section 15-130 of the City's Unified Development Ordinance:

- 1. Criteria: The proposed preliminary plat conforms with the requirements of the Unified Development Ordinance, the applicable zoning district regulations, and any other applicable provisions of this Ordinance, subject only to acceptable rule exceptions.**

Finding: The proposed preliminary plat is consistent with the area and dimensional requirements of lots in the C-2 Highway Commercial District. The preliminary plat is consistent with all other applicable provisions of the Unified Development Ordinance.

- 2. Criteria: The proposed subdivision is consistent with the City's Land Use Plan and any other adopted land use studies.**

Finding: The City's Land Use Plan guides the subject property for Mixed Commercial and Residential Development. The proposed commercial use is

consistent with this plan.

- 3. Criteria: The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles.**

Finding: The preliminary plat provides for a commercial lot that is compatible with other commercial properties in the vicinity.

- 4. Criteria: The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.**

Finding: The layout of the lot in the preliminary plat is done in a manner consistent with the provisions of the City's Unified Development Ordinance and will be compatible with lots on adjoining properties.

- 5. Criteria: All submission requirements have been satisfied.**

Finding: The proposed preliminary plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and

WHEREAS, the City Council further finds that approval of the final plat of MAB Additon as depicted on Exhibit B, subject to the attached conditions of approval, is appropriate with the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

- 1. Criteria: The final plat substantially conforms to the approved preliminary plat.**

Finding: The Applicants have applied for the final plat approval concurrently with the preliminary plat. The Final Plat conforms to the final plat.

- 2. Criteria: The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions.**

Finding: The final plat conforms to all applicable requirements of the City's Unified Development Ordinance.

- 3. All submission requirements have been satisfied.**

Finding: The proposed final plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault that the preliminary and final plats for MAB Addition are hereby approved, subject to the following conditions:

1. The Applicant shall submit to the City current title work that identifies all entities with a legal interest in the subject property, including, but not limited to mortgage and easement interests.
2. The Applicant shall address, to the satisfaction of the City Engineer, all comments raised by the City Engineer in his memorandum, attached as an exhibit to this resolution.
3. The Applicant shall address, to the satisfaction of the City, easement and right of way issues, if any, that may affect the plat.
4. The Applicant and the City of Faribault shall enter into a Development Agreement prior to recording the final plat and shall satisfy all terms and conditions set forth in the agreement.
5. Before the approved final plat is filed with the Rice County Recorder's office, all applicable fees must be paid.
6. As noted in the Development Agreement for the Kuntze Addition, Parkland Dedication has been satisfied in the prior subdivisions of the property and no further parkland or cash in lieu of parkland is required with this application.
7. The approved final plat shall be recorded within one year of the date of approval unless extended by the City.
8. The City Administrator and City Attorney are authorized to have final revisions made to the plat and development agreement necessary to carry out City Council intent with this approval resolution.

Date Adopted: July 26, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT A
Legal Description

Parcel 1:

Lot 1, Block 1 Kuntze Addition, City of Faribault, Rice County, Minnesota;

Parcel 2:

That part of Outlot A, 218 Addition according to the plat recorded thereof, City of Faribault, Rice County, Minnesota

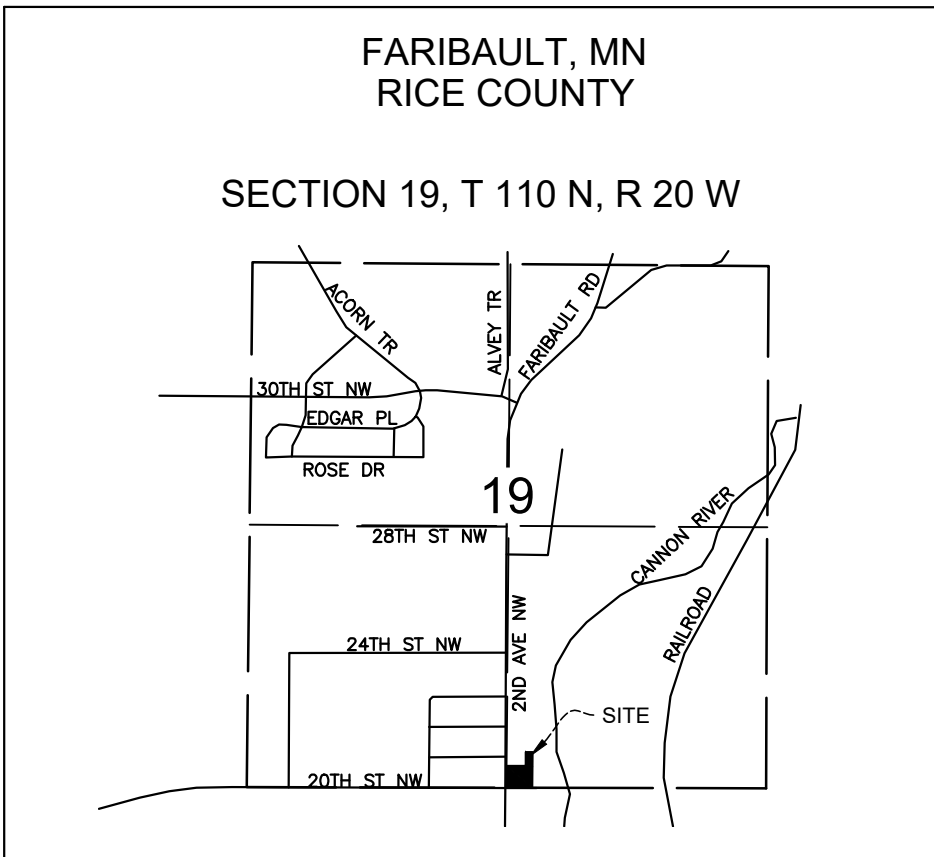
Parcel 3:

Outlot A, Kuntze Addition, City of Faribault, Rice County, Minnesota;

Exhibit B
[Insert Preliminary Plat]

Exhibit C
[Insert Final Plat]

May 27, 2022 -- 8:58am -- S:\PROJECTS\CIVIL\0812_Ridgeline_Group\00999 (Malecha Autobody -- City of Faribault -- Rice County)\Survey\Cadd_Files\00999PP01.dwg



VICINITY MAP

NOT TO SCALE

LEGEND

- MONUMENT FOUND
- IRON PIPE MONUMENT SET
- +102.7 EXISTING SPOT ELEVATION
- ~ EXISTING CONTOURS
- † FIRE HYDRANT
- CATCH BASIN
- ⊗ SEWER MANHOLES
- ⌵ CURB STOP
- ⊠ UTILITY PEDESTAL
- ⊖ POWER POLE
- ⊕ SIGN
- ⊗ DECIDUOUS TREE
- W — WATER LINE
- > — SANITARY LINE
- >> — STORM LINE
- OHU — OVERHEAD LINE
- GAS — GAS LINE
- UGC — UGC LINE

EXISTING DRAINAGE AND UTILITY EASEMENT TO BE VACATED

LEGAL DESCRIPTION

Parcel 1:
Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

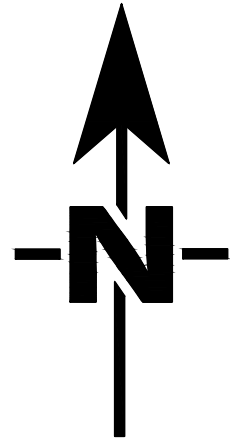
Parcel 2:
That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

Parcel 3:
Outlot A of Kuntze Addition, Rice County, Minnesota

ZONE:
C-2 -- HIGHWAY COMMERCIAL

SET BACK REQUIREMENTS:

- 25' FRONT HOUSE TO R.O.W.
- 10' SIDE HOUSE TO PROPERTY LINE (15' ABUTTING A RESIDENTIAL DISTRICT OR USE)
- 10' REAR HOUSE TO PROPERTY LINE
- 25' SIDE (CORNER LOT)



BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE
OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO
BEAR N32°22'34"E.

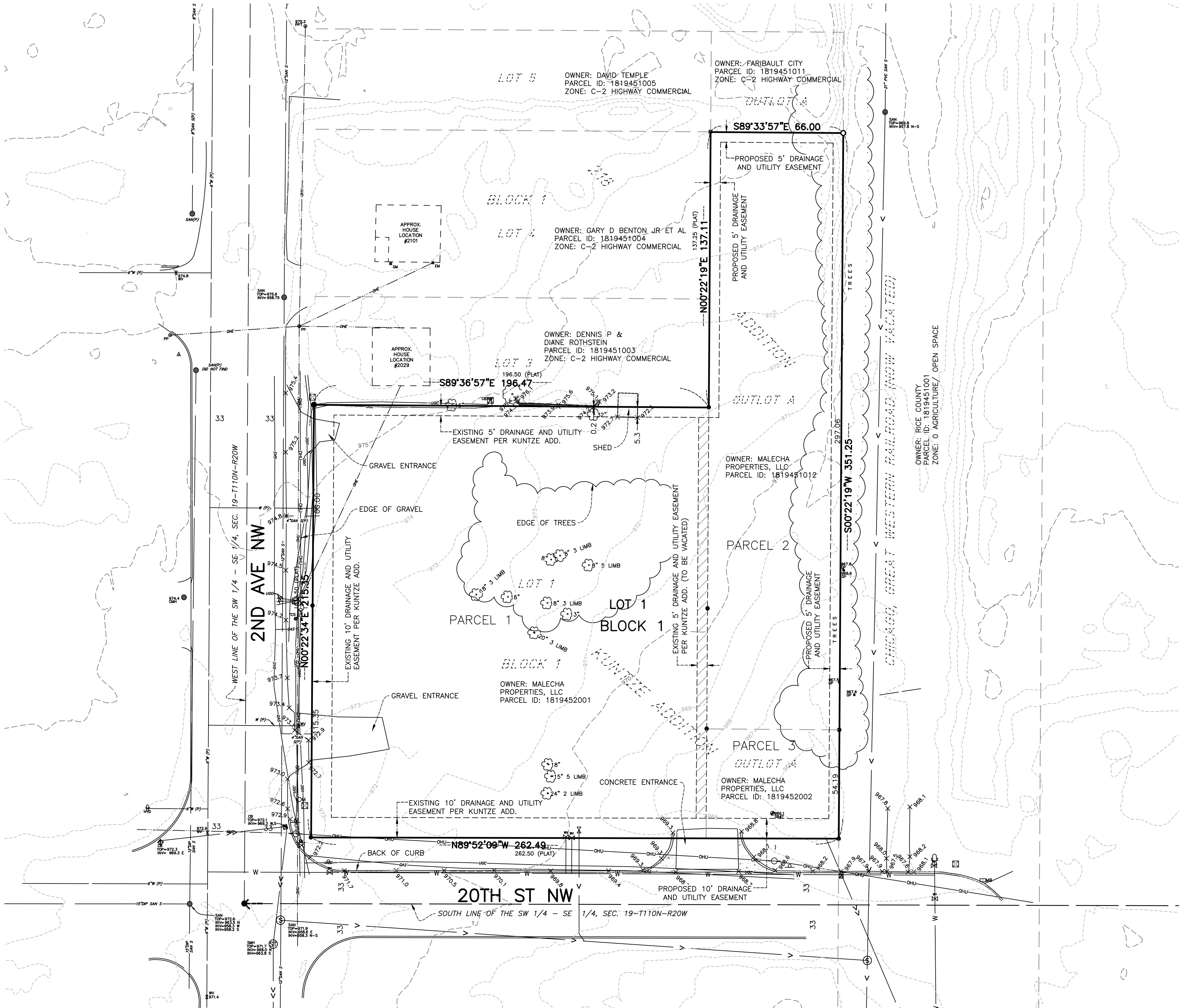
OWNER:

Malecha Properties LLC
William P. Malecha, Owner/President
23227 Bagley Ave.
Faribault, MN 55021

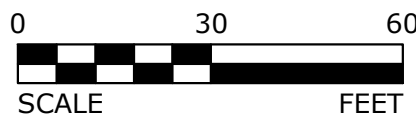
SURVEYOR:

Stonebrooke Engineering, Inc.
12279 Nicollet Ave. S.
Burnsville, MN 55337
Phone: 952-402-9202
Fax: 952-403-6803
www.stonebrookeengineering.com

LOT AREA:
65,421 SQUARE FEET



REV. NO.	DATE	BY	CHK	DESCRIPTION



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

NAME Aaron J. Mages LIC. NO. 45507 DATE 05-27-2022

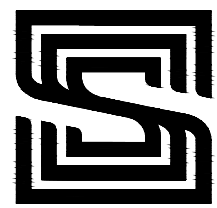
DESIGNED

DRAWN

ACR

CHECKED

AJM



Stonebrooke

PRELIMINARY PLAT

LOT 1, BLOCK 1, MAB ADDITION

FOR: RICE COUNTY, MINNESOTA

SHEET

1

OF

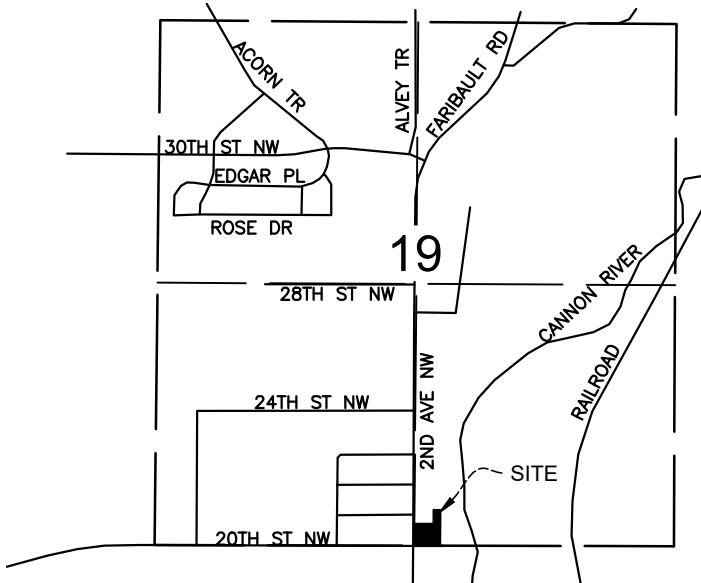
1

MAB ADDITION

C.R. DOC. NO.

FARIBAULT, MN
RICE COUNTY

SECTION 19, T 110 N, R 20 W



VICINITY MAP

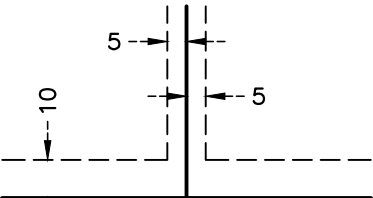
NOT TO SCALE

BEARING BASIS
FOR THE PURPOSE OF THIS PLAT THE WEST LINE
OF LOT 1, BLOCK 1, MAB ADDITION IS ASSUMED TO
BEAR N32°22'34"E.

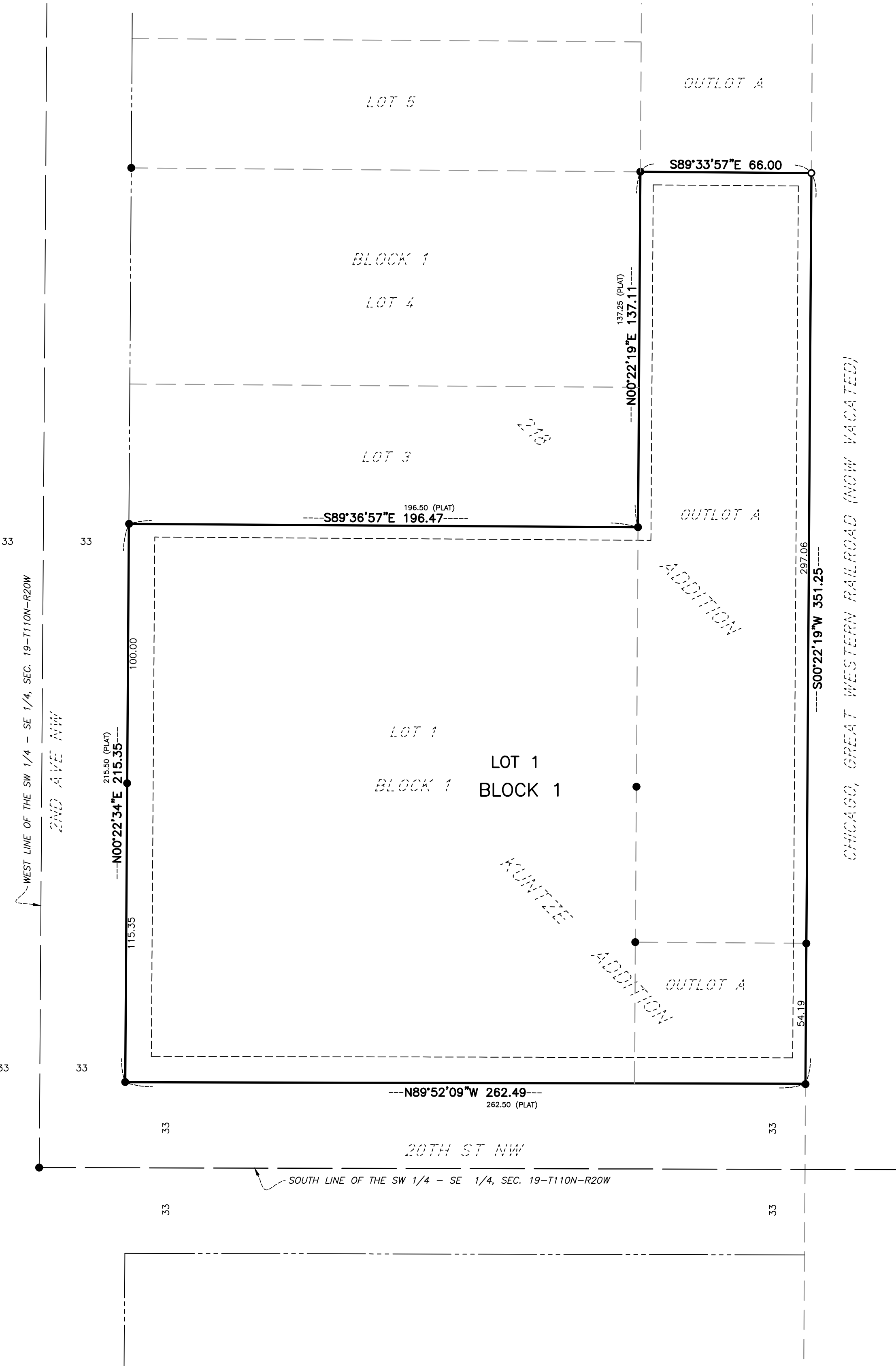
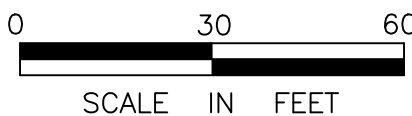
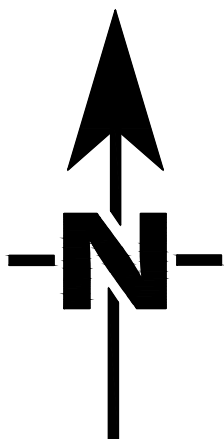
LEGEND

- 3/4" X 18" IRON PIPE MONUMENT
SET, MARKED BY LICENSE NO. 45507
(UNLESS NOTED OTHERWISE)
- MONUMENT FOUND
- CAST IRON MONUMENT FOUND

DRAINAGE AND UTILITY EASEMENTS (D.U.E.) ARE
SHOWN THUS:



BEING 5 FEET IN WIDTH, ADJOINING SIDE AND
REAR LOT LINES, AND 10 FEET IN WIDTH,
ADJOINING LOT LINES ALONG RIGHT OF WAY LINES,
UNLESS OTHERWISE INDICATED, AS SHOWN ON
PLAT.



KNOW ALL PERSONS BY THESE PRESENTS: That Malecha Properties LLC, a Minnesota corporation, owners of the following described property situated in the City of Faribault, County of Rice, State of Minnesota to wit:

Lot 1, Block 1, Kuntze Addition, Rice County, Minnesota.

AND

That part of Outlot A, 218 ADDITION, according to the plat recorded thereof, Rice County, Minnesota, lying south of the easterly extension of the north line of Lot 4, Block 1, said 218 ADDITION, Rice County, Minnesota.

AND

Outlot A of Kuntze Addition, Rice County, Minnesota

Has caused the same to be surveyed and platted as MAB ADDITION and does hereby dedicate to the public for public use the drainage and utility easements as created by this plat.

In witness whereof said Malecha Properties LLC, a Minnesota corporation, has caused these presents to be4 signed by its proper officers this _____, day of _____, 20_____.

Signed: Malecha Properties LLC

William P. Malecha, President

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on _____ by William P. Malecha, President of Malecha Properties LLC, a Minnesota corporation, on behalf of the corporation.

Notary Public, _____ County, MN.
My commission expires _____

SURVEYOR'S CERTIFICATE

I, Aaron Mages, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota: that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and that all public ways are shown and labeled on this plat.

Dated this _____, day of _____, 20_____.

Aaron Mages, Land Surveyor
Minnesota License No. 45507

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me this____day of_____, 20_____ by Aaron Mages, Land Surveyor.

Notary Public, _____ County, MN.
My commission expires _____

CITY COUNCIL, CITY OF FARIBAULT, MINNESOTA

This plat of CANNON RIVER VIEW was approved and accepted by the City Council of the City of Faribault, Minnesota at a regular meeting thereof held this _____day of_____, 20_____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been recieved by the City or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03 Subd. 2.

City Council of Faribault, Minnesota

By: Mayor

By: City Administrator

RICE COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this____day of_____, 20_____.

Michael Fangman
Rice County Surveyor

RICE COUNTY PROPERTY TAX & ELECTIONS

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this ____day of _____, 20_____.

Denise Anderson
Property Tax & Elections Director

COUNTY RECORDER, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Recorder for public record on this____day of_____, 20 _____ at _____ o'clock ____M. and was duly filed as Document Number_____.

Michael Fangman
Rice County Recorder

REGISTRAR OF TITLES, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of CANNON RIVER VIEW was filed in the office of the County Registrar of Titles for public record on this____day of_____, 20 _____ at _____ o'clock ____M. and was duly filed as Document Number_____.

Michael Fangman
Rice County Registrar of Titles



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kunnen, Community and Economic Development Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: July 18, 2022
SUBJECT: iii. Application for a Conditional Use Permit for Major Auto Repair in the C-2 Highway Commercial District for Malecha Auto Body at 2005 2nd Avenue NW

Background:

This item is for consideration of a Conditional Use Permit for Major Auto Repair in the C-2 Highway Commercial District. This is the third of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The Development Review Committee is recommending approval of the request. City Staff have prepared a draft resolution with findings for approval and recommended conditons.

Recommendation:

Planning Commission approval of the draft resolution with findings to approve the requested Conditional Use Permit for Major Auto Repair at 2005 2nd Avenue NW.

Attachments:

1. Resolution 2022-____ Major Auto Repair CUP Malecha Auto Body

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-____

APPROVE A CONDITIONAL USE PERMIT FOR A MAJOR AUTO REPAIR USE IN A C-2 HIGHWAY COMMERCIAL DISTRICT AT 2005 2ND AVENUE NW

WHEREAS, William Malecha, property owner / applicant (Applicant), has requested a conditional use permit for a major auto repair business in the C-2 Highway Commercial District at 2005 2nd Avenue NW, legally described in Exhibit A of this resolution; and

WHEREAS, major auto repair uses including auto body repair and paint shops are allowed in the C-2 District with a conditional use permit; and

WHEREAS, City Staff has completed a review of the application they have determined that the proposed major automobile repair use is compatible with adjoining uses; and

WHEREAS, City Staff made a report to the Planning Commission pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the following written findings:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

Expanded Finding: The major auto repair use will be sufficiently screened to prevent any harm to the safety, comfort, convenience, and general welfare of nearby uses.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Expanded Finding: The proposed use of the property specified in this application will not injure other property, nor will it impede orderly development in the area.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Expanded Finding: The building proposed to house the major auto repair use will be compatible in appearance with the surrounding area. Furthermore, the automobile-oriented use is compatible with the nearby automobile oriented-businesses.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed use of the property as a major auto repair business will not harm neighboring commercial properties. Adjoining properties to the site are currently zoned for commercial uses.

5. **The conditional use will not substantially diminish the value of neighboring properties.**

Expanded Finding: The proposed uses will provide screening and will layout the improvements on site to minimize impact on adjoining property.

6. **The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and**

fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.

Expanded Finding: Public sewer, water, and all other applicable municipal services serve the subject property.

- 7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

Expanded Finding: The proposed use of the property will not create new demands for facilities and services at public cost.

- 8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**

Expanded Finding: The proposed use will only have a driveway on 20th St., which should minimize congestion on 2nd Ave. NW. On-site traffic circulation appears to be adequately planned.

- 9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

Expanded Finding: The proposed use will be constructed on a vacant lot and there are no scenic or natural features and no known historic features on this site.

- 10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Expanded Finding: The City's Land Use Plan guides the subject property for commercial / residential mixed uses consistent with the application in this case. The application if approved will not adversely affect Faribault's natural resources.

- 11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.**

Expanded Finding: The proposed conditional use permit is consistent with setback and other City Code requirements for this district.

WHEREAS, the City Council held a public meeting on July 26, 2022, during which it considered the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for a major auto repair business currently addressed as 2005 2nd Avenue NW based on the site plans as submitted by the Applicant and attached hereto as Exhibit B.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the applicable development standards listed in Sec. 7-30 of the Unified Development Ordinance for Major Automobile Repair uses and the following conditions:

1. Access to the site will be from 20th St. NW, as installed during the 2021 construction of public improvements on 20th St. NW along the site. Changes to the site access will require approval by the City Engineer.
2. All auto repair work must be performed inside the building.
3. Damaged or disassembled vehicles in queue for repair must be parked within the screened storage area.
4. Parking lot striping for 40 parking spaces must be installed if the City determines a shortage of on-site parking becomes apparent.
5. The site shall be developed in substantial conformance with the approved site plan attached with this resolution as Exhibit B.
6. The applicant must construct the building with a code compliant paint booth, air handling and filtration systems and operate this business using appropriate sound and odor attenuation systems and methods as

required by State and Local laws to mitigate impacts on nearby residences.

7. Venting of odors must be directed away from residential uses.
8. All materials, equipment, damaged or disassembled cars or car parts stored outside must be kept within the trash enclosure or fenced storage area and must be screened from view of the street, public trail and adjoining residential uses.
9. The Development Review Committee is authorized to approve site plan revisions that comply City ordinances and are necessary to carry out the intent of the City Council approval in this application.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.
2. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.
3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.
4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.
5. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership.

The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.

6. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

Kevin F. Voracek, Mayor

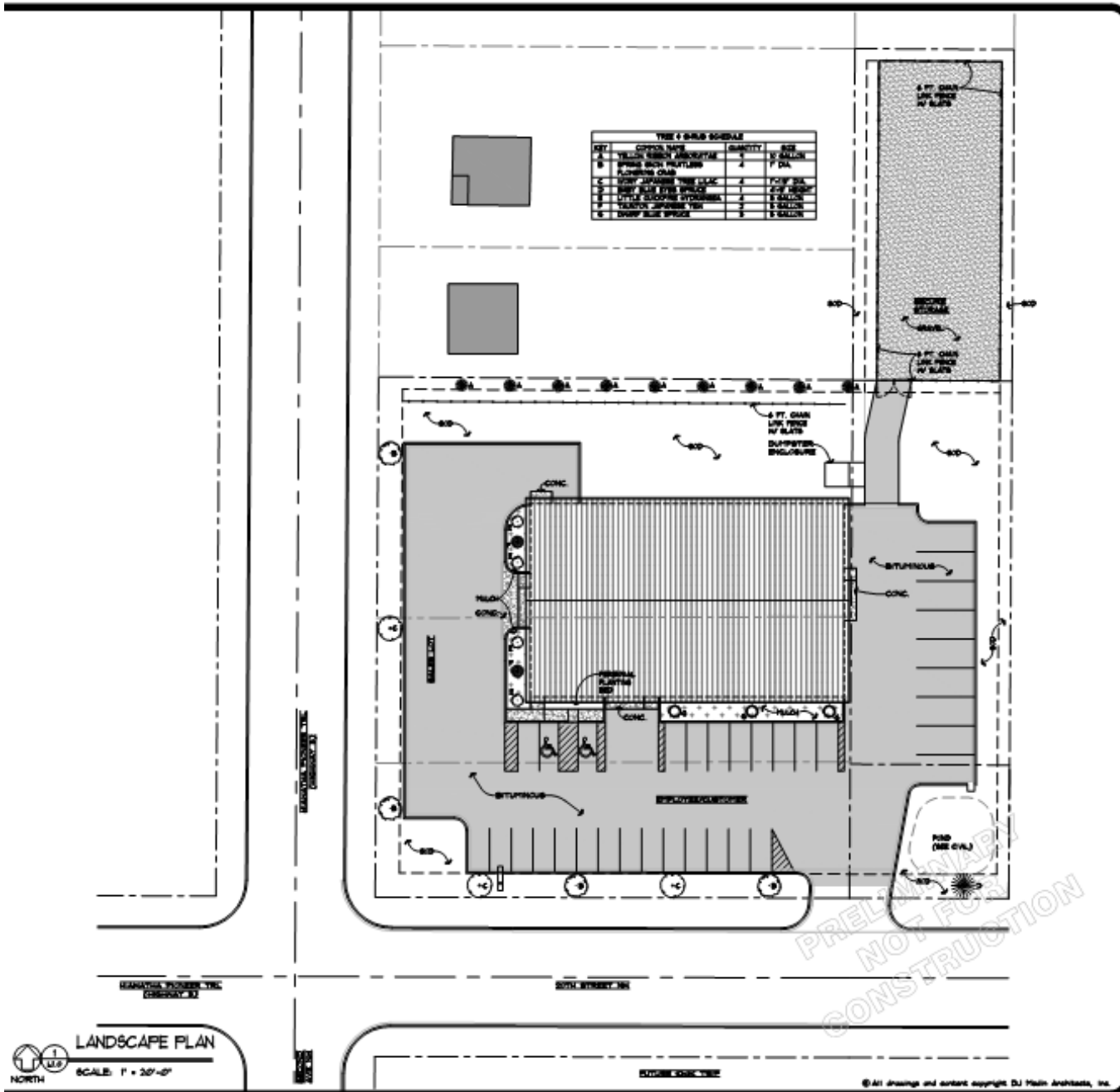
ATTEST:

Timothy C. Murray, City Administrator

Exhibit A
Legal Description

Lot 1, Block 1, MAB Addition, City of Faribault, Rice County, Minnesota

Exhibit B Site Plan



DESIGNED: DJM
DRAWN: LHM
CHECKED: DJM
PROJECT: 2018
REVISIONS:

Having verified this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

DANIEL J. MEDIN
License No. 919
Date: May 25, 2018

MALECHA AUTO BODY
FARIBAULT, MINNESOTA

DJ MEDIN
architects, inc.
203 n.w. First Ave.
Faribault, MN 55021
507/334-2252

LANDSCAPE PLAN

L1.0



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community and Economic Development Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: July 18, 2022
SUBJECT: iv. Application for Conditional Use Permit for Development in the Shoreland Overlay District at 2005 2nd Avenue NW

Background:

This item is for consideration of a Conditional Use Permit for development in the Shoreland Management District. This is the fourth of four applications associated with the development proposal by William Malecha for construction of a new Auto Body Repair shop and Auto Sales lot at 2005 2nd Avenue NW. The Development Review Committee is recommending approval of the request. City Staff have prepared a draft resolution with findings for approval and recommended conditions.

Recommendation:

Planning Commission approval of the draft resolution with findings to approve the requested Conditional Use Permit for commercial development in the Shoreland Management District at 2005 2nd Avenue NW.

Attachments:

1. Resolution 2022-____ Shoreland Overlay CUP Malecha Auto Body

CITY OF FARIBAULT

RESOLUTION #2022-_____

APPROVE A CONDITIONAL USE PERMIT FOR A MAJOR AUTO REPAIR USE IN A SHORELAND OVERLAY DISTRICT AT 2005 2ND AVENUE NW

WHEREAS, William Malecha, property owner / applicant (Applicant), has requested a conditional use permit for development within the Shoreland Management Overlay District at 2005 2nd Avenue NW, legally described in Exhibit A of this resolution; and

WHEREAS, the subject property is zoned C-2, Highway Commercial, and is in the Shoreland Management District; and

WHEREAS, the Shoreland Management District requires a conditional use permit for development in the district; and

WHEREAS, City Staff made a report to the Planning Commission pertaining to said request, a copy of which has been presented to the City Council; and

WHEREAS, the provisions of the Shoreland Management District are intended to help preserve and enhance the quality of surface waters by regulating land use adjacent to surface waters; and

WHEREAS, City Staff notified the Minnesota Department of Natural Resources of the Applicant's Conditional Use Permit request to develop the proposed site; and

WHEREAS, Minnesota Department of Natural Resources staff have reviewed this request and have made some recommendations for protection of the Cannon River watershed; and

WHEREAS, the Planning Commission, on July 18, 2022, following proper notice, held a public hearing regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's Conditional Use Permit request based on the following written findings:

1. **The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

Expanded Finding: The major auto repair use will be sufficiently screened from view from the River and the development will include stormwater management measures to reduce runoff and filter contaminants before they leave the site.

2. **The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Expanded Finding: The proposed use of the property specified in this application will not injure other property, nor will it impede orderly development in the area.

3. **The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Expanded Finding: The building proposed to house the major auto repair use will be compatible in appearance with the surrounding area. Furthermore, the automobile-oriented use is compatible with the nearby automobile oriented-businesses.

4. **The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed development plan will mitigate impacts of noise, odor and visual impact of the use of the property.

5. **The conditional use will not substantially diminish the value of neighboring properties.**

Expanded Finding: The proposed uses will not diminish the value of the neighboring property which are all planned and zoned for commercial uses as well.

6. **The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.**

Expanded Finding: Public sewer, water, and all other applicable municipal services serve the subject property.

- 7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

Expanded Finding: The proposed use of the property will not create new demands for facilities and services at public cost.

- 8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**

Expanded Finding: The proposed use will only have a driveway on 20th St., which should minimize congestion on 2nd Ave. NW. On-site traffic circulation appears to be adequately planned.

- 9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

Expanded Finding: The proposed use will be constructed over a vacant lot, therefore nothing will be lost.

- 10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Expanded Finding: The City's Land Use Plan guides the subject property for commercial / residential mixed uses consistent with the application in this case.

- 11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.**

Expanded Finding: The proposed conditional use permit is consistent with setback and other City Code requirements for this district.

WHEREAS, the Planning Commission further found approval of the requested Conditional Use Permit is appropriate with the following additional findings as required by Section 13-710 (E) (2) of the City's Unified Development Ordinance:

- 1. A thorough evaluation of the water body and the topographic, vegetation, and soil conditions on the site must be made to ensure**

the prevention of soil erosion or other possible pollution of public waters, both during and after construction.

Expanded Finding: DNR representatives have made recommendations that have been incorporated into the development plan to help mitigate impacts on the river watershed.

- 2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Expanded Finding: Stormwater management systems a temporary vehicle staging area landscape plantings and site layout are intended to mitigate the impact of the development and use. The development will not impede normal development in the area.

- 3. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Expanded Finding: The building proposed to house the proposed use will be compatible in appearance with the surrounding area. Furthermore, the use is compatible with the nearby businesses.

- 4. The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed use of the property as proposed will not harm neighboring properties.

WHEREAS, the City Council held a public meeting on July 26, 2022, during which it considered the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the written findings of the Planning Commission and makes the identical findings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for development in the shoreland district at 2005 2nd Avenue NW as shown on Exhibit B.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the following conditions:

1. The Stormwater Management system shall include filtration and contaminant separation devices similar to those recommended by the DNR representative (in the email received 7/13/2022) for this site and as approved by the City Engineer. A copy of the email is on file with the City Planning Division.
2. The Owner shall obtain the necessary building permits, grading permits, and all other applicable permits before construction can occur on the subject property.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.
2. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.
3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.
4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.
5. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.

6. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: July 26, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A
Legal Description

Lot 1, Block 1, MAB Addition, City of Faribault, Rice County, Minnesota

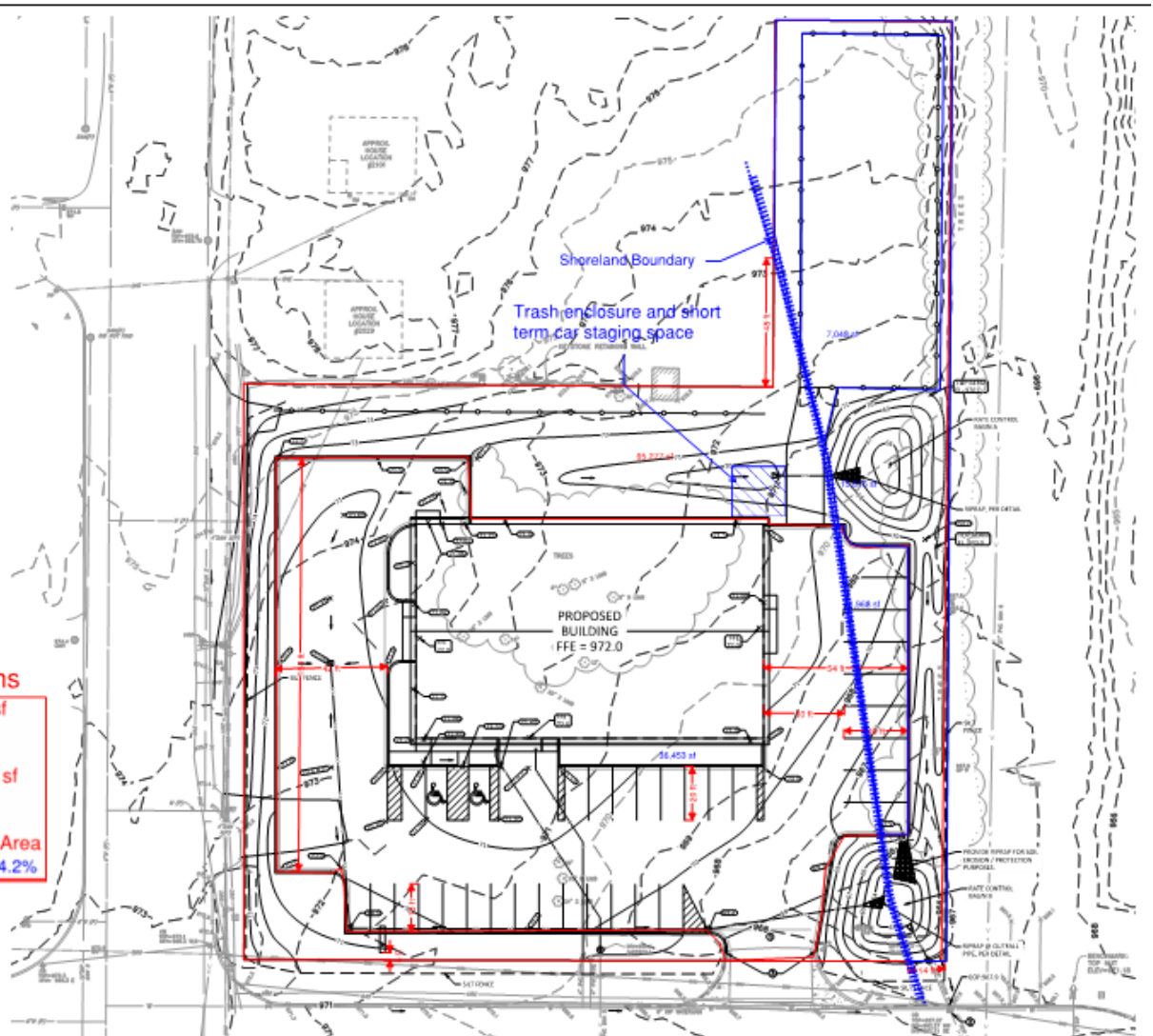
Exhibit B Development Plan

Shoreland Calculations

Total Parcel Area = 65,421 sf

Approx. area within 300'
Shoreland Overlay = 15,815 sf
(= 24.1% of total parcel)

Approx. Impervious Surface Area
within Overlay = 7,000 sf 44.2%





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: July 18, 2022
SUBJECT: Vacation, Preliminary and Final Plat, Comprehensive Plan Amendment, Rezoning, and Conditional Use Permits related to the Proposed RIVERCHASE ADDITION Plat and Development

Background:

The City's Journey to 2040 Comprehensive Plan and Downtown Master Plan guide the existing industrial area south to the 1st Street NE viaduct and east of Willow Street for "downtown" use that includes residential development. The City acquired this redevelopment area and is working with developers to redevelop this area in two or more phases. The City is vacating easements and street rights-of-way, platting the property, guiding the property for "downtown" use, rezoning the property to CBD, Central Business District, and issuing a conditional use permit for development in the Shoreland Management Overlay District. The City will develop a City-owned parking lot in this area to serve existing and future parks in this area. The redevelopment area will also include a regional stormwater basin.

Hamilton Real Estate Group (the "Developer") is requesting approval of a conditional use permit to allow construction of a four-story, 77-unit, market-rate apartment building in the northwest corner of the redevelopment area. Refer to the attached report for additional information. The City Planner will distribute ordinances and resolutions at the July 18 Planning Commission meeting.

Recommendation:

Recommend that the City Council approve the resolutions and ordinances associated with this planning item. City Staff will distribute the resolutions and ordinances at the July 18 Planning Commission meeting.

Attachments:

1. 2022.07.18 RIVERCHASE ADDITION Public Hearing Staff Report
2. Riverchase Addition Preliminary Plat_Final Plat_ CUP_Easement Vacation_Engineering Memo for PC 2022-07-15



Public Hearing Staff Report

TO: Planning Commission
FROM: David Wanberg, City Planner
MEETING DATE: July 18, 2022
SUBJECT: Applications related to the Redevelopment of Property South of the 1st Street NE Viaduct and East of Willow Street

Background

The City of Faribault's Journey to 2040 Comprehensive Plan and Downtown Master Plan guide the area south of the 1st Street NE viaduct and east of Willow Street for residential and/or commercial use. This area includes the former Lockerby property at 217 Mill Street at 127 Willow Street, the former VP Online property at 55 Willow Street, and the former Sons of Silence property (see Figure 1: Redevelopment Area).

The City recently purchased the property shown in Figure 1 to facilitate the redevelopment of the area based on the vision and goals of the Journey to 2040 plans. The City requests the following:

1. The vacation of certain existing easements and street right-of-way;
2. Preliminary and final plats approvals;
3. A Comprehensive Plan amendment to guide the entire redevelopment area for "Downtown" use;
4. Rezoning the redevelopment area from I-2, Heavy Industrial District to CBD, Central Business District; and
5. Approval of a conditional use permit for development in the Shoreland Management Overlay District.

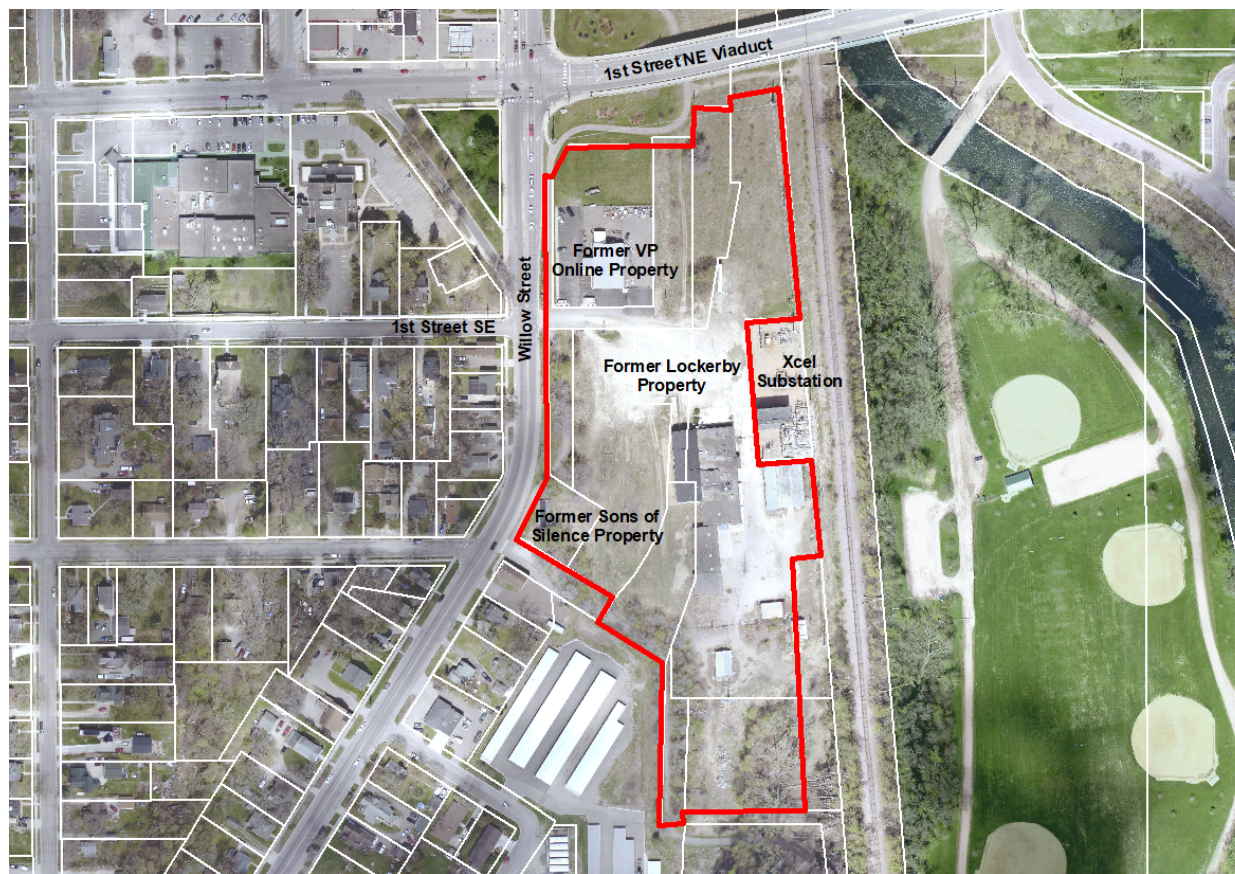


Figure 1: Redevelopment Area

Redevelopment of the area will occur in phases. Hamilton Real Estate Group (the “Developer”) will develop the first phase of the area. The Developer is proposing to construct a four-story, 77-unit, market-rate apartment building on a proposed lot in the northwest corner of the redevelopment area. The Developer is requesting approval of a conditional use permit (CUP) to allow the following:

1. Standalone residential use in the CBD, Central Business District;
2. The proposed four-story apartment building to exceed the base three stories or 42 feet limit in the CBD, Central Business District, without a CUP; and
3. The number of residential units to exceed the base number allowed in the CBD and the floor area to be less than the base floor area allowed in the CBD without a CUP.

The public hearing notice identified a variance request to allow the

redevelopment area to exceed the allowable impervious coverage in the Shoreland Management Overlay District. However, the Developer's proposal does not require that variance; therefore, the request for a variance from the allowable impervious coverage has been withdrawn.

In addition to the Developer's proposed apartment building, the first phase of the development will involve street, utilities, stormwater construction, and the demolition of existing buildings. Building demolition will be completed in August, with the construction of the apartment building anticipated to start in September, pending City and other approvals. The proposed stormwater facilities include a large, City-owned, regional stormwater basin on a proposed outlot in the southeast corner of the redevelopment area. Future development phases include the following (see Figure 2: Concept Master Plan):



Figure 2: Concept Master Plan

1. Development of a City-owned parking lot on a proposed lot in the northeast corner of the redevelopment area; and

2. Development of memory care and senior housing on proposed lots in the southwest corner of the redevelopment area.

Vacation of Right-of-Way / Easements

The City requests vacation of the Mill Street right-of-way and another right-of-way / easement in the area of the former VP Online site at 55 Willow Street. The right-of-way / easements are unnecessary and create a problem for redevelopment if they remain (see Figure 3: Vacation of Right-of-Way / Easements).

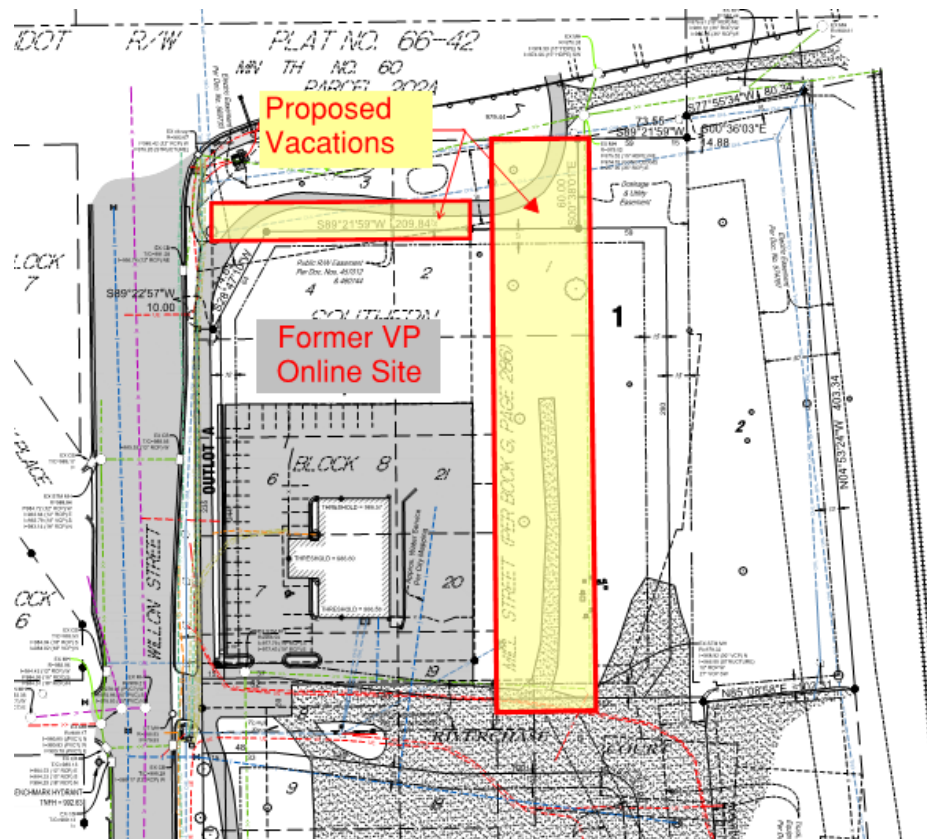


Figure 3: Vacation of Right of Way / Easements

Preliminary and Final Plat Approval

The existing redevelopment area includes a variety of unplatted parcels and platted lots. The City requests preliminary and final plat approval to plat the property as RIVERCHASE ADDITION. The proposed plat includes the following (see Figure 4: Proposed RIVERCHASE ADDITION Plat):

1. A lot for the Developer's proposed apartment building;

2. A lot to accommodate the future memory care and senior housing – this lot may be subdivided into two lots in the future;
3. A lot for the future City-owned parking lot;
4. Outlots to accommodate the existing City trail and the proposed regional stormwater basin; and
5. The right-of-way for the proposed Riverchase Court, which will provide street access to the properties.

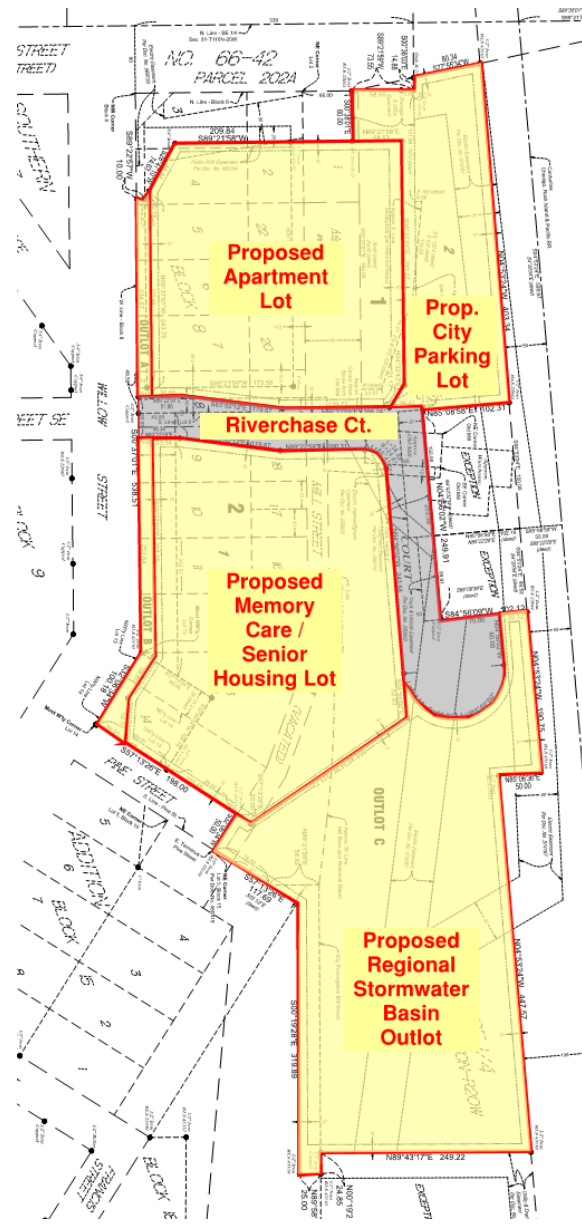


Figure 4: Proposed RIVERCHASE ADDITION Plat

The proposed plat includes standard perimeter drainage and utility easements and additional easements required for utilities. The City's Purchase and Development Agreement with the Developer waives the need for the Developer to provide parkland dedication. The City is platting the property (not the Developer). The City will construct a parking lot to serve a planned community park north of the viaduct. The City will also provide improved trails and greenspace in the platted area.

Comprehensive Plan Amendment

The City's Journey to 2040 Comprehensive Plan and Downtown Master Plan currently guides the north portion of the redevelopment area for "downtown" use and the south portion for "residential-commercial mixed-use." The City requests amending its Comprehensive Plan to guide the entire redevelopment area for "downtown use." The proposed housing in the RIVERCHASE ADDITION plat will connect to and support the downtown area; therefore, it is appropriate to guide the entire area for "downtown" use.

Rezoning

Given the City's request to guide the entire RIVERCHASE ADDITION plat for "downtown" use, it is appropriate to rezone the property from I-2, Heavy Industrial, to CBD, Central Business District. The proposed standalone residential uses in the plat are allowed in the CBD with the issuance of a conditional use permit. The recently constructed Hillside Apartments and Straight River Apartments are also in the CBD. Consequently, the proposed rezoning is consistent with similar residential projects on the edge of the downtown area.

Conditional Use Permit for Development in the Shoreland Management Overlay District.

A small portion of the proposed plat is in the Shoreland Management Overlay District (see Figure 5: Shoreland Management Overlay District). The City's Unified Development requires the issuance of a conditional use permit for certain types of development in the overlay district. The overlay district encompasses only a small portion of the proposed parking lot on the proposed Developer's lot in the northwest corner of the plat. The proposed apartment building is outside the overlay district.

The majority of the overlay district encompasses the lot for the future City-

owned parking lot. The City will ensure that the future City-owned parking lot will be consistent with the provisions of the overlay district. If an impervious coverage variance is required for the future City-owned parking lot, the City will apply the variance before the development of the parking lot.

The requested conditional use permit allows the City and the Minnesota Department of Natural Resources to review the proposed grading, drainage, and other development to minimize the impacts on the adjacent Straight River.

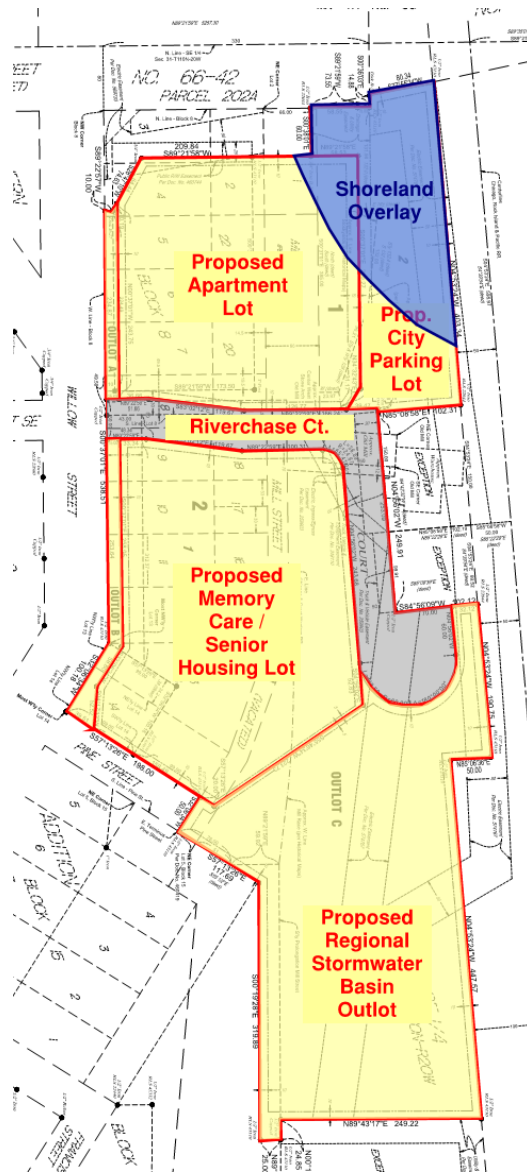


Figure 5: Shoreland Management Overlay District

Conditional Use Permit Associated with the Proposed Apartment Building on Lot 1, Block 1, RIVERCHASE ADDITION

The Developer is proposing to develop a four-story, 77-unit, market-rate apartment building on Lot 1, Block 1, RIVERCHASE ADDITION (see Figure 6: Apartment Building Site Plan and Figure 7: Apartment Building Facades). The Developer is requesting approval of a conditional use permit (CUP) to allow the following:

1. Standalone residential use in the CBD, Central Business District;
2. The proposed four-story apartment building to exceed the base three stories or 42 feet limit in the CBD, Central Business District, without a CUP; and
3. The number of residential units to exceed the base number of units allowed in the CBD and the floor area to be less than the base floor area allowed in the CBD without a CUP.

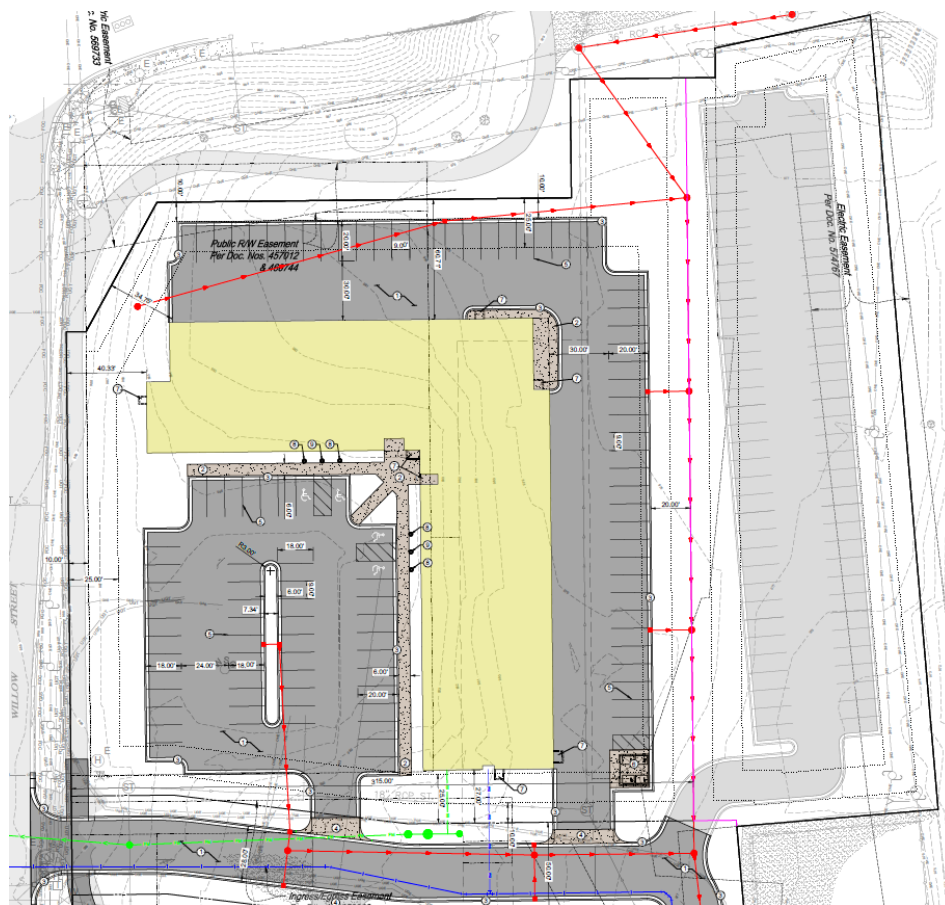


Figure 6: Apartment Building Site Plan



WEST BUILDING ELEVATION



EAST BUILDING ELEVATION

Figure 7: Apartment Building Facades

A conditional use is essentially a permitted use for which the City Council can attach appropriate conditions. In this case, City Staff feels the proposed apartment building is sound and consistent with the City's vision for this area. The apartment building includes numerous amenities and connects to the downtown and adjacent trails and parks. City Staff is working with the Developer on minor refinements to the plans, including refined pedestrian connections to the existing City trails. The standalone residential use, the height, and the density are appropriate.

Development Review Committee Recommendations

The City's Development Review Committee (DRC) recommends approval of all of the requests outlined in this report. The DRC and Developer continue to work on minor refinements to the development plans that will not alter the requests nor impact the Planning Commission's recommendations. Pending Council approval of the requests, the Developer intends to start construction in early September.

Resolutions and Ordinances

The resolutions and ordinances related to the requests outlined in this report will be distributed at the July 18 Planning Commission meeting.



Engineering Department Memorandum

TO: David Wanberg, City Planner

CC: Deanna Kuennen, Comm. and Econ. Development Director
Travis Block, Public Works Director
Jeanne Day, Finance Director

FROM: Mark DuChene, City Engineer

DATE: July 15, 2022

SUBJECT: Riverchase Addition Comprehensive Plan Amendment, Rezoning,
Preliminary Plat, Final Plat, & Easement Vacation

BACKGROUND

The City of Faribault (Owner) in conjunction with Hamilton Real Estate Group (Developer) has submitted a comprehensive plan amendment, rezoning, preliminary plat, final plat, conditional use permit and easement vacation applications for the land at 55 Willow Street (former VP Online Auctions), 217 Mill Street (former Lockerby) and 127 Willow Street (former SOS clubhouse) be platted as the Riverchase Addition subdivision. The sites are located in the SE ¼ of Section 31 Township 110, Range 20W whose parent parcels are a collective of metes and bounds parcels. The site is adjacent to Trunk Highway 60 to the north, the Straight River to the east, commercial/industrial development to the south and residential/commercial uses to the west.

Conditional Use Permit

A conditional use permit will be required for the construction of multi-family housing within a portion of the shoreland overlay district.

The proposed development will be completed by:

Owner: City of Faribault
Developer: Hamilton Real Estate Group
Surveyor: ISG
Engineer: Widseth

PLAT/COMPREHENSIVE PLAN AMENDMENT/REZONING

Owner has submitted a preliminary and final plat for Riverchase Addition. The preliminary and final plat contains three (3) lots and three (3) outlots. The City's Journey to 2040 Comprehensive Plan guided the parent parcels for Downtown and Commercial/Residential Mixed Use according to the adopted Staged Growth Plan. The Owners are requesting an amendment to the comprehensive plan to change the staged growth plan land use designations to Downtown and rezone the entire plat area as Central Business District (CBD)

The areas within the plat including their proposed use, comprehensive plan land use classification, and proposed zoning are as follows:

Lot	Area	Proposed Use
Lot 1, Block 1	95,593 sf (2.19 ac)	Multi-family Housing
Lot 2, Block 1	43,367 sf (1.00 ac)	Public Parking
Lot 1, Block 2	117,057 sf (2.69 ac)	Multi-family Senior Housing
Outlot A	3,545 sf (0.08 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot B	5,940 sf (0.14 ac)	Park, Recreation, Open Space (Existing Trail)
Outlot C	141,334 sf (3.24 ac)	Stormwater Management
Rights-of-Way	40,165 sf (0.92 ac)	N/A
Total	447,002 sf (10.26 ac)	

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office. A current tile commitment must be submitted meeting the requirements of the City Attorney and all easements and encumbrances of record shall be shown on the plat documents.

Plat shall be subject to review and approval by the MN Department of Transportation.

At the time of final plat, the Developer agrees to provide sufficient permanent property monumentation per the development agreement and shall submit to the City written verification by a registered land surveyor licensed in the State of Minnesota.

EXISTING SITE CONDITIONS

The existing site contains approximately 10.26 acres of land that that is mostly developed. The site is relatively flat and generally drains from west to east towards the Straight River. There are numerous buildings within the plat area that are scheduled to be removed ahead of redevelopment. There is also an Xcel Energy electric substation adjacent to the east side of the plat that will remain and must have vehicle access provided.

EASEMENTS

Existing Easements

There are multiple existing easements on the site, including:

- 50-foot easement for electric transmission lines in favor of NSP (Xcel Energy) per Doc 574767. No changes to this easement are required.

- Public Right of Way Easement in favor of the City of Faribault as shown per Docs 457012 & 460744. This easement is no longer needed and will be vacated.
- Ingress/Egress Easement in favor of NSP (Xcel Energy) as shown per Doc 259903. This easement has been requested to be released from Xcel as the ingress/egress covered by the easement will be contained within the proposed Riverchase Court right of way.
- Truck, Vehicle & Equipment Easement in favor of NSP (Xcel Energy) as shown per Doc 384110. This easement has been requested to be released from Xcel as the area covered by the easement will be contained within the proposed Riverchase Court right of way.

Proposed Easements

The proposed plat shows perimeter drainage and utility easements as required by City code. Oversized drainage and utility easements are shown between Lot 1 & 2, Block 1 Riverchase Addition to accommodate a trunk storm sewer line as well as existing overhead power lines in the northwest corner of said Lot 2.

Final easement locations and sizes shall be subject to the City Engineer's review and approval based on final site and utility designs.

STREET AND SITE LAYOUT

Riverchase Court

Riverchase Court is proposed to be a local street and extended from the intersection of Willow Street and 1st Street SE to the east/southeast and terminate in a cul-de-sac. Riverchase Court is proposed to be constructed as a 32-foot wide, undivided urban roadway with no parking on both sides and no sidewalk. Riverchase Court is proposed to be within a 50-ft right-of-way. The Owner is responsible for 100% of the costs to construct Riverchase Court.

Trunk Highway 60

The proposed plat is south of and adjacent to TH 60 a minor arterial street. TH 60 is a 2-lane undivided roadway with turn lanes. No access is proposed or permitted to TH 60.

Willow Street

The proposed plat is east of and adjacent to Willow Street a minor arterial street. Willow Street is a 2-lane urban street within a 80-foot right-of-way. No improvements to Willow Street are proposed and no access to Willow Street is allowed other than the new Riverchase Court.

Mill Street

The proposed plat covers a platted but unconstructed portion of Mill Street, a vacant 66-foot-wide right-of-way per Book G, page 286. This right of way shall be vacated.

PARKS AND TRAILS

There are no new public trails or sidewalks proposed as part of the plat. The existing trail near the southwest corner of the plat may be rerouted in the future. No parkland dedication will be collected as part of the plat.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Straight River (M-048-026) drainage district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to existing drainage systems and to the east which ultimately discharge to the Straight River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

The proposed site improvements include the addition of new and/or reconstructed impervious surfaces that exceed 1 acre. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit, the City's current Municipal Separate Storm Sewers permit and 2022 Surface Water Management Plan including the Developers Guide for Stormwater Management must be incorporated into the final plans. The Developer and City have agreed to cooperate on the construction of a regional stormwater basin to serve the entire plat area. The stormwater treatment basin shall be placed within Outlot C. The City shall be responsible for long term operations and maintenance of the basin. The Owner is responsible for 100% of the costs of the design and construction of the stormwater treatment basin.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval for each parcel as it develops.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances for each parcel as it is developed.

UTILITIES

SANITARY SEWER

The development is proposed to be served by public sanitary sewer facilities. Eight-inch sanitary sewer mains shall be extended within Riverchase Court to serve the lots. A public lift station (to be owned, operated and maintained by the City) shall be constructed to serve the plat area and the lift station shall discharge to the sewer main in Willow Street. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Owner is responsible for all upfront costs associated with designing and constructing said public sanitary sewer extensions. Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

All future buildings within the plat area shall be charged the standard Sewer Access Charge (SAC) in effect at the time of building permit issuance.

WATERMAIN

The development is proposed to be served by public watermain facilities. Eight-inch watermains shall be extended Riverchase Court. The Owner is responsible for all upfront costs associated with designing and constructing said public watermain extensions.

All future buildings within the plat area shall be charged the standard Water Access Charge (WAC) in effect at the time of building permit issuance.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. Final hydrant location and spacing shall be approved by the Fire Chief.

LIGHTING & ELECTRIC UTILITIES

The Owner shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198.

Per Section 15-380 of Appendix B (Unified Development Regulations) of the City Code of Ordinances, all utilities that serve newly developing areas are to be placed underground. The Owner shall be responsible for arranging and coordinating with the respective utility company and paying for any related costs for the movement of any existing overhead utilities within the proposed development (except for the existing overhead electric transmission lines) underground in conjunction with the arranging of utility servicing for the newly created lots with the subdivision and the installation of street lights.

STORM SEWER

The development includes the construction of public storm sewer systems. Storm sewer facilities must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval.

with the final construction plans. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

Engineering recommends approval of the Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation, subject to the comments within this report and the following:

- An updated title commitment report shall be submitted for review.
- Owner shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the final plat being considered by the City Council.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits consistent.



Request for Planning Commission

TO: Planning Commission
THROUGH:
FROM:
MEETING DATE: July 18, 2022
SUBJECT: Board and Commission Reports, Announcements and Updates

Background:

Recommendation:

Attachments: