



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, JUNE 5, 2023

6:00 PM

1. Call to Order
2. Approval of the Minutes
 - A. Meeting Minutes of April 3, 2023
3. Public Hearings
 - A. Application for a variance from wetlands setback / buffer area requirements to allow for an industrial building expansion located at 1 Sage Way.
 - B. The City of Faribault is proposing a Zoning Text Amendment to reduce the minimum required lot size to 4,800 square feet per unit and the minimum lot width to 30 feet per unit for attached single family dwellings in the R-3, Medium Density Residential Districts citywide.
 - C. The City of Faribault is seeking to rezone 1008 and 1016 Division Street W, from C-1, Neighborhood Commercial District to R-2, Low Density Residential District to match other properties and land uses on the block.
 - D. The City of Faribault is proposing to reclassify the zoning district designation at the Rice County Fairgrounds from O, Agriculture / Open Space to P-I, Public Institutional District, to better fit the existing uses of the property. The Rice County Fairgrounds are located at 1900 Fairgrounds Dr.
4. Board and Commission Reports, Announcements and Updates
5. Adjournment

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



PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

MONDAY, APRIL 3, 2023

6:00 PM

Meeting Items

1. Call to Order

The regular meeting of the Planning Commission was called to order by Chair Campbell at 6:00 pm. Commissioners Ackman, Jackson, Salt, and White were present. Also in attendance was Planning Coordinator, Peter Waldock, Director, David Wanberg, City Engineer, Mark DuChene and Recording Secretary, Kari Casper.

2. Approval of the Minutes of the March 20, 2023 Meeting

Motion by Chuck Ackman, seconded by Barton Jackson to Approve the minutes of March 20, 2023. The motion passed on a 5/0 vote.

3. Public Hearings

A. Application for a Conditional Use Permit for a K-12 Charter School at 128 8th Avenue NW (Continued from March 20, 2023)

Waldock gave his presentation by presenting three options for the commission's consideration. The applicants presented a preferred option through his Power Point. The Chair then brought the matter back to the commission for discussion. White asked if there was a traffic study done. Waldock confirmed that it was not done. White also asked if the neighbors were notified of this meeting. Waldock stated that they were not. Ackman commented that he didn't think that it was required of the staff to send an additional notice to the neighbors.

Chair opened the public hearing at 6:14 and Reed Robinson, 8175-B Lewis Road, Golden Valley, MN 55427 with WJR, Architects - Designers came forward to answer any questions on behalf of the applicant. He stated that the end capacity would be estimated at 250 students but that in the beginning they would be expecting only about 120. The flow anticipated would be about 10 cars dropping-off and the majority of the rest would be bussed. White was concerned about the traffic flow causing congestion as it does for him on his side of town with another Charter School. Robinson stated that his analysis was based on his conversations with the director of the school and felt that they could accommodate up to 27 cars without causing congestion. He also stated that they expected families coming from common areas of town and would be carpooling. Ackman asked about the density and commonality of the previous use and this use. Jackson asked about the plowing; staff deferred to DuChene who stated that when it snows it gets plowed -- there are too many variables. Todd Nelson, the building's owner, then came forward to answer any questions. He confirmed the commission's question about comparing the new use to the old use as "apples to apples".

Chair then closed the public hearing at 6:23 and brought it back for further discussion.

Ackman was not at the last meeting and went over some of the things that happened. He

stated that he was struggling to see what the challenges were here and felt that the CUP should move forward. White made some mention of tabling this to get the traffic study. Ackman didn't feel that it would be necessary to table this and Ackman made a motion to approve the CUP K-12 Charter School, referring to the 9th Ave egress only. The motion was seconded by Jackson. The motion carried on a 4/1 vote with White voting nay..

4. Board and Commission Reports, Announcements and Updates

Nothing really to add.

5. Adjournment

Motion by Jackson, seconded by Ackman to adjourn at 6:45. The motion passed on a 5/0 vote.

Respectfully Submitted,

By: _____
Kari Casper



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: Dave Wanberg, Community and Economic Development Director
FROM: Peter Waldock, Planning and Zoning Coordinator
MEETING DATE: June 5, 2023
SUBJECT: Application for a variance from wetlands setback / buffer area requirements to allow for an industrial building expansion located at 1 Sage Way.

Background:

Vetrotech Saint-Gobain is relocating its North American headquarters to the SageGlass Campus at 1 Sage Way. The relocation requires expansion of their existing manufacturing building owned by MDC Development II LLC. The building expansion requires a variance from wetland buffer and setback requirements of the Unified Development Ordinance.

The applicants are working with Rice Soil and Water Conservation District for approval of a plan for de minimis wetlands impact on the protected low quality wetlands west of the building expansion area. The proposed 10,080 SF building expansion will be setback 2 feet from the wetlands buffer area where 15 feet is required. The building will be a total of 17' from the edge of the adjusted wetlands boundary when completed. The plan will meet the required setbacks from the medium quality wetlands to the south.

The Development Review Committee discussed this proposal at its meeting of May 23, 2023 and found that the request was reasonable under the circumstances in this case.

Recommendation:

Approve findings in support of the variance application and forward a recommendation of approval to the City Council.

Attachments:

1. Draft Resolution
2. Maps

3. Site Plan

[Space above saved for County Recorder's stamp]

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2023- __

APPROVE A VARIANCE FROM WETLANDS SETBACK AREA REQUIREMENTS AT 1 SAGE WAY

WHEREAS, MDC Development LLC. (the "Owner") is requesting approval of an application variance from wetlands setback and buffer area requirements to allow for an industrial building expansion located at 1 Sage Way legally described in Exhibit A; and

WHEREAS, the subject site has wetlands area that have been determined to be a low quality using the Minnesota Routine Assessment Method (MnRAM), within a close proximity to the building that cannot be avoided by the proposed expansion do to layout requirements of production equipment inside; and

WHEREAS, Section 6-160, of the City's Unified Development Ordinance states that no development, grading or filling, alteration of the natural character of the land, or construction of buildings or structures shall occur within any vegetated wetland, except in compliance with the Minnesota Wetland Conservation Act and by the regulations specified in Chapter 28, Section 28-232, Wetlands and Wetland Buffer Strips; and

WHEREAS, Chapter 28, Section 28-232 of the Faribault Code of Ordinances requires a fifteen (15) foot wetlands buffer and a fifteen (15) foot setback from the buffer area for wetlands classified as low quality using the MnRAM standard; and

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

WHEREAS, the Planning Commission, on the 5th day of June, 2023, following proper notice, held a public hearing regarding the requests, and following said public hearing made findings and recommended that the City Council approve the requested variances; and

WHEREAS, following said public hearing, the Planning Commission recommended conditional approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.

Expanded Finding: The variance in this case is needed as a result of the original layout of the building on the site, which was constructed an angle limiting the expansion options. The proposed expansion is in harmony the general purposes and intent of the City's ordinances.

2. The variance is consistent with the Comprehensive Plan.

Expanded Finding: Granting the requested variances will maintain current land uses, which fits in with the commercial / industrial mixed use as guided by the Comprehensive Plan for the site.

3. The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.

Expanded Finding: The subject property is used as an existing manufacturing facility will not alter the existing uses there.

4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the

property has not had control. The unique circumstances do not result from the actions of the applicant.

Expanded Finding: The variance in this case is needed as a result of the original layout of the building on the site, which was constructed an angle limiting the expansion options and while this layout was well intended, it created unintended and unforeseen circumstances which are rather unique in the City.

5. The variance does not alter the essential character of the neighborhood.

Expanded Finding: The variance application will allow the existing development to continue and will not result in the alteration of essential character of the neighborhood.

6. The variance requested is the minimum variance, which would alleviate the practical difficulties.

Expanded Finding: The proposed setback variance will not result in an encroachment into the protected wetland. The setback variance is the minimum necessary under the circumstances.

7. Economic conditions alone do not constitute practical difficulties.

Expanded Finding: The variances are not attributed to economic conditions in this case.

WHEREAS, the City Council at a public meeting, on the 13th day of June, 2023, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

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

Section 1: Approval of the Requested Variances. The City Council hereby approves the requested variances from Sec. 6-160, of the

Unified Development Ordinance and Chapter 28, Sec. 28-231 of the Faribault Code of Ordinances to allow a two (2) foot building setback from the wetlands buffer where fifteen (15) feet would otherwise be required. This variance will result in a permitted separation from the revised edge of the wetland boundary by distance of seventeen (17) feet as depicted on Exhibit B of this resolution.

Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2. Conditions Attached to the Approval of the Variance.

Approval of the requested variance includes the following conditions:

1. The Owner shall construct the proposed building expansion in a manner consistent with the site plan attached as Exhibit B.
2. The Owner shall comply with all requirements of Rice Soil and Water Conservation District for a de minimis impact on a protected wetland.

Section 3. Compliance. The City Council authorizes the Mayor, City Administrator, City Staff, and the City Attorney to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: June 13, 2023

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A
Legal Description

Lot 1, Block 1, Northern Industrial Park Fourth Addition, City of
Faribault, Rice County, Minnesota.

Property Address: 1 Sage Way
PID# 18.13.4.52.001

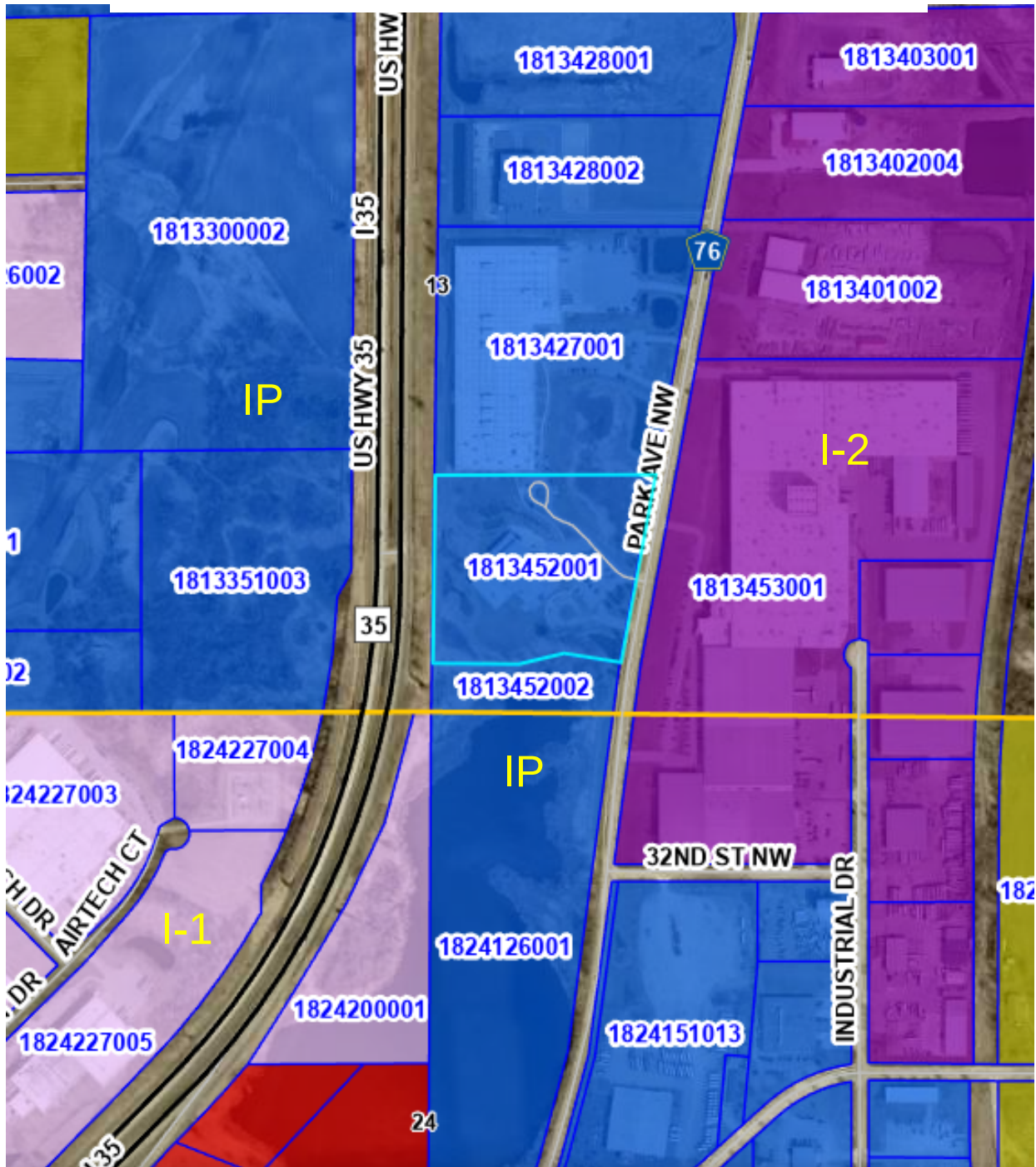
[illegible]

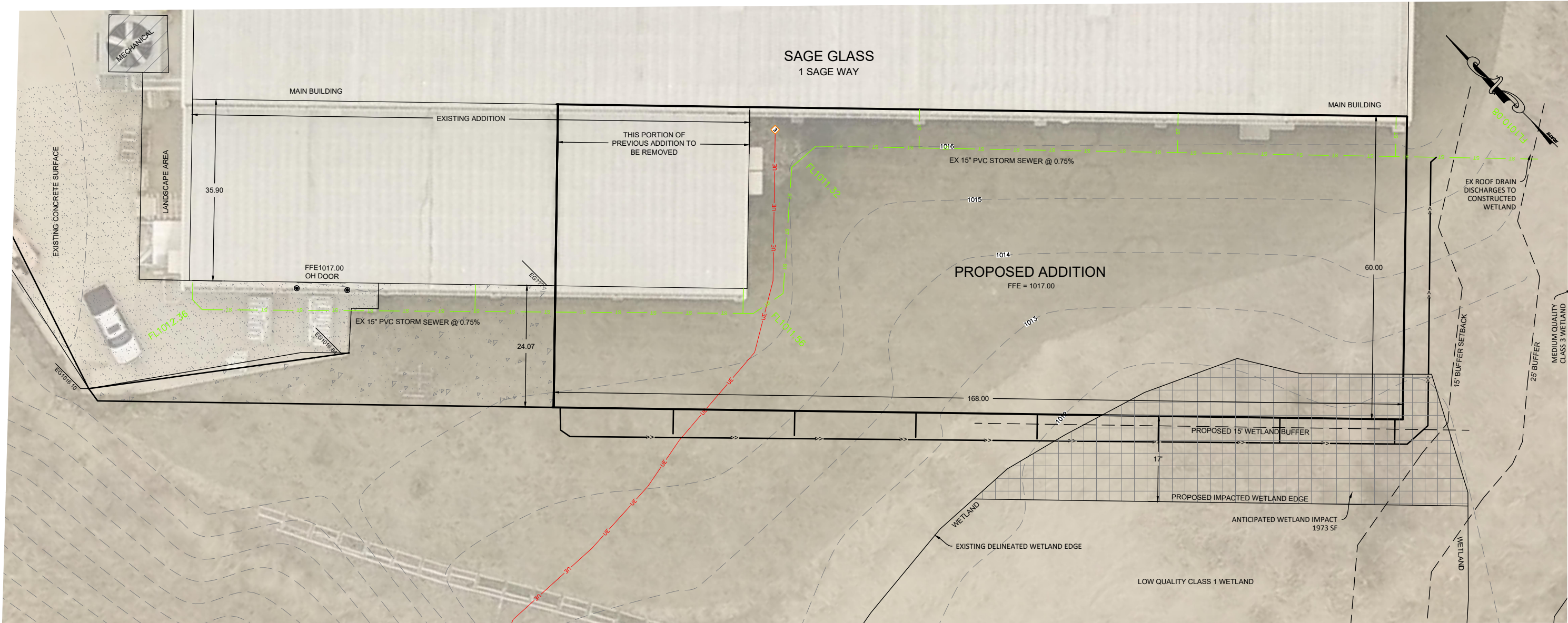
Location Map - Vetrotech Expansion - 1 Sage Way



Zoning Map

IP Industrial Park District





LEGEND

- 848— EXISTING ELEVATION CONTOUR LINE
- 848— PROPOSED ELEVATION CONTOUR LINE
- FGXXXX.X FINISH GRADE ELEVATION
- EGXXXX.X EXISTING GRADE ELEVATION
- GLXXXX.X GUTTER LINE ELEVATION
- TCXXXX.X TOP OF CURB ELEVATION
- GRXXXX.X GRATE ELEVATION
- HP HIGH POINT
- LP LOW POINT

GENERAL STORMWATER NOTES:

- SITE AREA: XX
- DISTURBED AREA: XX
- EXISTING IMPERVIOUS SURFACE: XX
- PROPOSED IMPERVIOUS SURFACE: XX
- FUTURE IMPERVIOUS SURFACE: XX

PEAK STORMWATER FLOWS LEAVING SITE (CFS):

	2-YEAR	10-YEAR	100-YEAR
EXISTING	x	x	x
DESIGN	x	x	x

EARTHWORK NOTES:

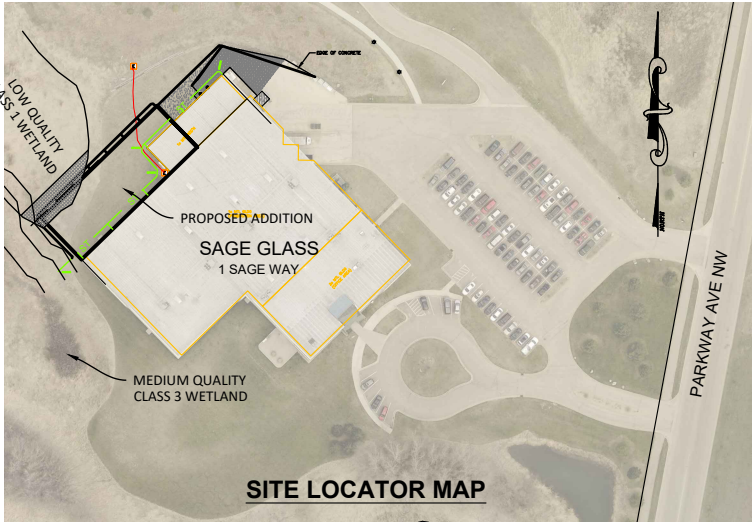
- CONTRACTOR TO FURNISH ON SITE GEOTECHNICAL CONSULTING ENGINEER AS REQUIRED.
- SOIL CORRECTIONS UNDER THE PROPOSED CONCRETE & ASPHALTIC PAVEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, REMOVAL OF ALL TOPSOIL AND VISIBLY ORGANIC FILL MATERIAL.
- CONTRACTOR TO FURNISH ON SITE GEOTECHNICAL CONSULTING ENGINEER TO COORDINATE SOIL CORRECTIONS UNDER PAVEMENTS.
- THE SITE SHALL BE GRADED TO THE CONTOURS SHOWN AND TO PROVIDE THE DRAINAGE PATTERN SHOWN.
- GRADE ALL AREAS TO DRAIN.
- THE ENGINEER MAY ORDER ADJUSTMENTS TO THE GRADES SHOWN ON THE PLAN TO ENSURE PROPER OR BETTER DRAINAGE OR UTILITY COVERAGE AS WORK INCIDENTAL TO THE CONTRACT.

TURF ESTABLISHMENT

- PROVIDE A MINIMUM OF 6" OF TOPSOIL OVER ALL AREAS DESIGNATED TO RECEIVE TURF.
- STABILIZE ALL OTHER DISTURBED AREAS OF THE SITE NOT SHOWN TO RECEIVE SPECIAL TREATMENT ON THIS PLAN IN ACCORDANCE WITH THE LANDSCAPE PLAN OF IF NOT SHOWN, WITH HYDROSEED MIXTURE AS MNDOT RAPID STABILIZATION METHOD 3 WITH:
 - SEED MIX 25-131 @ 100 LB/ACRE,
 - FERTILIZER 22-5-10 @ 300 LBS/ACRE
 - TYPE 1 HYDRAULIC SOIL STABILIZER

WINTER STABILIZATION

- IN THE EVENT THAT FINAL STABILIZATION OF THE SITE HAS NOT OCCURRED PRIOR TO WINTER CONDITIONS, THE FOLLOWING ACTIVITIES WILL OCCUR:
- STABILIZE ALL AREAS DESIGNATED TO RECEIVE TURF WITH SODDING OR SEED MIX 22-112 @ 40 LB/ACRE WITH SEED MIX 21-112 (WINTER WHEAT) @ 100 LB/ACRE, AND TYPE 1 MULCH FROZEN TO GROUND WITH WATER
 - SPOT CHECK AND STABILIZE ALL AREAS ALREADY STABILIZED WITH THE ABOVE



BENCHMARKS:

DESCRIPTION
ELEVATION

BENCHMARKS:

DESCRIPTION
ELEVATION

REV.	BY	DATE	REVISION DESCRIPTION



**JONES
HAUGH
SMITH**
Engineers + Surveyors
415 West North Street Owatonna, MN 56045-4598

DESIGNED: JHS
DRAWN: JHS
CHECKED: BJ
Date: 4/3/23
DWG: 23-1009

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.

John H. Schulte V
License No. 44639 Date: 4/3/23

SAGE GLASS 10080 SF PRODUCTION ADDITION LOT 1 BLOCK 1 NORTHERN IND. PK. 4TH ADDN. SITE PLAN
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SHEET
11
OF
14



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: Dave Wanberg, Community and Economic Development Director
FROM: Peter Waldock, Planning and Zoning Coordinator
MEETING DATE: June 5, 2023
SUBJECT: The City of Faribault is proposing a Zoning Text Amendment to reduce the minimum required lot size to 4,800 square feet per unit and the minimum lot width to 30 feet per unit for attached single family dwellings in the R-3, Medium Density Residential Districts citywide.

Background:

Erick Warner of Warn Investments Inc. owns two adjoining vacant lots at 616-620 6th Street NW. The lots are in the R-3, Medium Density Residential District. This neighborhood is in the central core area of the city. A typical lot in this area is 66 feet wide and 165 feet deep (10890 square feet). The subdivision was platted in 1909 and the homes there are generally from that era, tall, two-story homes. The two lots had originally been occupied by two-story tall single-family homes that fell into disrepair and were demolished and the lots cleared. The owner would like to build a new twin home on each of the lots and subdivide the property to have each twin home unit on a separate lot.

The R-3 District permits multifamily dwellings, duplexes, attached and detached single family homes. The development density (number of units per lot) is limited by the minimum required lot area per unit. For multifamily dwellings and duplexes, the lot area per unit is 4800 square feet and the minimum lot width is 66 feet. Attached single family residences require 6000 square feet of lot area per unit and a minimum lot width of 60 feet per unit (for twin homes). Both of the lots are large enough and wide enough for a duplex (two-dwelling unit building), but they are not wide enough or large enough (in lot area) for an attached single-family home with each unit on its own lot.

The housing market has evolved in recent years with high construction costs, high demand for housing and a low supply of available housing. The city has a shortage of affordable housing. To help address these issues, the Planning Commission is willing to consider amending the zoning regulations in the R-3 District to allow twin homes on lots of 30 feet wide and 4800 square feet in area per unit to accommodate redevelopment of the existing lots in the older core area of the city. Currently there is a strong market for twin homes, which are sought after by buyers seeking a more affordable housing option than new detached single-family home.

The DRC discussed this matter at its meeting of May 23, 2023 and recommended approval.

Recommendation:

Approve findings in support of the proposed zoning text amendment and recommend City Council approval.

Attachments:

1. Draft Ordinance

**CITY OF FARIBAULT
ORDINANCE No. 2023-____**

**APPROVE A ZONING TEXT AMENDMENT TO REDUCE THE MINIMUM REQUIRED LOT
SIZE AND LOT WIDTH FOR ATTACHED SINGLE FAMILY DWELLINGS IN THE R-3,
MEDIUM DENSITY RESIDENTIAL DISTRICTS CITYWIDE**

WHEREAS, the City of Faribault Planning Commission initiated a zoning text amendment to reduce the minimum required lot size to 4,800 square feet for end units and lot width to 30 feet for attached single family dwellings in the R-3, Medium Density Residential Districts citywide; and

WHEREAS, the Planning Commission, on June 5, 2023, following proper notice, held a public hearing regarding the proposed zoning text amendment; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the above-referenced zoning text amendment based on the following written findings outlined in Section 2-180 of the City's Unified Development Ordinance as follows:

1. **Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.**

Finding: The Land Use Plan identifies areas for various uses and provides for an organized blend of compatible land uses in the City and support the efficient use of infrastructure and ensure a range of housing options to meet the need of City residents. The proposed zoning text amendment is consistent with the Land Use Plan.

2. **Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.**

Finding: The proposed zoning text amendment is not intended to benefit only one property owner. It will be effective citywide and benefit many different property owners and agencies.

3. **Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.**

Finding: The proposed text amendment does not change the zoning classification of property in the city. Therefore, this required finding does not apply to the proposed text amendment. The amendment

provides for attached single family home lots at 4800 SF and 30 foot in width in the R-3 Medium Density Residential District which is a 20 percent reduction in lot area and about 50 percent reduction in lot width over existing standards in this district.

4. **Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.**

Finding: The proposed text amendment does not change the zoning classification of property in the city. Therefore, this required finding does not apply to the proposed text amendment. The amendment provides for attached single family home lots at 4800 SF and 30 foot in width in the R-3 Medium Density Residential District.

5. **Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.**

Finding: The proposed text amendment does not change the zoning classification of property in the city. Therefore, this required finding does not apply to the proposed text amendment. The amendment is needed to address a community demand for more affordable housing choices.

WHEREAS, the City Council held a public meeting on June 13, 2023, to consider approval of the first reading of Ordinance 2023-____; and

WHEREAS, the City Council also held a public meeting on June 27, 2023 to consider approval of the second reading of Ordinance 2023-____; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings and recommendation of the Planning Commission, the City Council of the City of Faribault concurs with the written findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings and Incorporation of Recitals and Exhibits. The recitals in this ordinance are part of this ordinance and, where applicable, constitute the written findings of the City Council of the City of Faribault.

Section 2: Text Amendment – Table 10-2 Lot dimension and setback requirements, residential districts. The Faribault City Council hereby amends Table 10-2 of the City’s Unified Development Ordinance by adding new text (designated by the underlined text) and deleting existing text (designated by the ~~strikethrough~~ text) as follows:

[The balance of this page is intentionally blank]

Table 10-2. Lot dimension and setback requirements, residential districts.

District	R-1	R-1A	R-2	R-3	R-4
Minimum lot area (sq. ft.)					
Single-family detached dwelling:					
Served by municipal sewer/water	10,000	9,000	8,500	6,000	6,000
Not served by municipal sewer/water	1 acre	1 acre	1 acre	1 acre	1 acre
Single-family attached dwellings:					
End units	-	7,000	7,000	6,000 4800	6,000
Interior units	-	-	4,000	4,000	4,000
Duplex, multi-family dwellings (per unit):					
Platted after 5/28/74	-	7,000	6,000	4,800	*
Platted prior to 5/28/74	-	-	4,800	4,800	*
All other uses (per lot):	20,000	15,000	15,000	12,000	10,000
Minimum lot width					
Single-family detached dwelling:	75 feet	70 feet	66 feet	66 feet	66 feet
Single-family attached dwelling:					
End units	-	60 feet	60 feet	60 30 feet	60 feet
Interior units	-	-	35 feet	35 30 feet	35 feet
Duplex (per building):	-	70 feet	66 feet	66 feet	66 feet
Multi-family (per building):	-	-	100 feet	100 feet	100 feet
All other uses	100 feet	100 feet	100 feet	100 feet	100 feet
Minimum lot depth	-	-	-	-	100 feet
Building setback requirements					
Front	25 feet	25 feet	25 feet	25 feet**	25 feet**
Side	10 feet	10 feet	10 feet	10 feet**	15 feet**
Corner side	25 feet	25 feet	25 feet	25 feet**	25 feet**
Rear	10 feet	10 feet	10 feet	10 feet**	15 feet**

* See section 10-100

** See section 10-110

Section 6: Effective Date. This ordinance shall be effective immediately upon its passage and publication per the provisions of the Faribault City Charter.

Public Hearing: June 5, 2023

First Reading: June 13, 2023

Second Reading: _____

Publication: _____

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: Dave Wanberg, Community and Economic Development Director
FROM: Peter Waldock, Planning and Zoning Coordinator
MEETING DATE: June 5, 2023
SUBJECT: The City of Faribault is seeking to rezone 1008 and 1016 Division Street W, from C-1, Neighborhood Commercial District to R-2, Low Density Residential District to match other properties and land uses on the block.

Background:

The Planning Coordinator is proposing that the City rezone 1008 and 1016 Division St. W from C-1, Neighborhood Commercial District to R-2, Low Density Residential District to match adjoining parcels and follow the land use plan for Established Residential Uses in this area.

The subject site is made of two half-sized lots (when compared to adjoining residential lots on this block). The site appears to have been built as a neighborhood store with the proprietor's home on one side of the lot and a store on the other side of the lot.

At some point, the lot was split in two and sold to separate owners. There was a variety of small retail stores in the building at 1008 Division St. but the site has not been used for commercial use in many years. It is currently used as a dwelling. 1016 Division St has a home that is being renovated for use as a single-family home. This lot has most recently been used as a single-family home before falling into disrepair and going vacant.

Discussion:

1. Existing Uses. The lots are substandard compared to current zoning codes. They appear to be half-sized lots compared to the surrounding lots. Both lots are currently used or being remodeled for single family residential use. 1008 Division St has a store front that will be re-purposed for living space for the existing unit.

2. Comprehensive Plan. Established Residential Neighborhood.
3. Existing Zoning. The properties are zoned C-1 Neighborhood Commercial District. This zoning designation is problematic in that neither of two lots is developed for commercial uses with proper off-street parking and commercial buildings and the lots are too small for off-street parking areas that are required in this district for commercial uses.

The DRC discussed this matter at its meeting of May 23, 2023 and recommends approval.

Recommendation:

Approve findings in support of the proposed rezoning and recommend City Council approval.

Attachments:

1. Draft Ordinance
2. Map

CITY OF FARIBAULT
ORDINANCE No. 2023-____

**REZONE 1008 AND 1016 DIVISION STREET W TO R-2, LOW
DENSITY RESIDENTIAL DISTRICT**

WHEREAS, the Faribault Planning Commission has proposed to rezone 1008 and 1016 Division Street W, from C-1, Neighborhood Commercial District to R-2, Low Density Residential District to match other properties and land uses on the block with the legal description provided in Exhibit A; and

WHEREAS, the subject site contains a single-family dwelling at 1016 Division St W and out dated mixed residential / retail building at 1008 Division St. W that is being converted to a single-family dwelling; and

WHEREAS, rezoning the subject parcel to R-2, Low Density Residential District is necessary as the subject parcels are under sized and no longer used for neighborhood commercial uses and the proposed zoning classification will match surrounding properties and land uses; and

WHEREAS, the City's Development Review Committee reviewed the rezoning proposal and recommends approval of the request; and

WHEREAS, the Planning Commission, on June 5, 2023, following proper notice, held a public hearing regarding the rezoning request; and

WHEREAS, the Planning Commission finds that it is appropriate to rezone existing public and institutional properties as proposed, based on the following written findings of the Planning Commission as required by Section 2-180 of the City's Unified Development Ordinance:

1. Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.

Finding: The proposed zoning is consistent with the City's Land Use Plan, which guides the site and adjoining lots for Established Residential Neighborhood Uses.

2. Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.

Finding: The proposed rezoning is the logical expansion of the R-2 District classification currently in place on the balance of the block. The current C-1, Neighborhood Commercial District classification is out place in this block and the subject parcels cannot be properly

utilized for commercial uses since the parcels are undersized and non-conforming for commercial lots in the City.

3. Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The proposed rezoning applies to a former neighborhood store that was later divided into two lots that are substandard for width and lot area. The owners are in the process of refurbishing the building on each for single family uses not permitted in the current commercial zoning district at the site.

4. Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The rezoning as proposed is needed to support the existing primary use of the site for single family dwellings on each of the lots in the rezoning area.

5. Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The proposal will change the zoning classification from a non-conforming commercial designation to a residential district designation that matches neighboring properties and better fits the comprehensive land use plan. The application is the result of a change of character to reduce blighted buildings in the area.

WHEREAS, the City Council held a public meeting on June 13, 2023, to consider approval of the first reading of Ordinance 2023-___; and

WHEREAS, the City Council also held a public meeting on _____, to consider approval of the second reading of Ordinance 2023-___; 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 of the City of Faribault concurs with the written findings of the Planning Commission

and makes the identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this ordinance constitute the written findings of the City Council.

Section 2: Rezoning. The City Council hereby rezones the legally described on Exhibit A, and graphically depicted in Exhibit B to R-2, Low Density Residential District.

Section 3: Official Zoning Map. The City does not need to republish the City's official zoning map to show the rezoning. However, the City Planner shall show the rezoning on the official zoning map on file with the City.

Section 4: Authorization to take Additional Steps. The City Council authorizes and directs the Mayor, City Staff, and City Consultants to take any additional steps and actions necessary and convenient to accomplish the intent of this ordinance.

Section 5: Effective Date. This ordinance is effective immediately upon its passage and publication per the City Charter.

First Reading: June 13, 2023

Second Reading: _____

Published: _____

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A
Legal Description

Parcel A. 1008 Division St W PID# 18.36.1.76.092

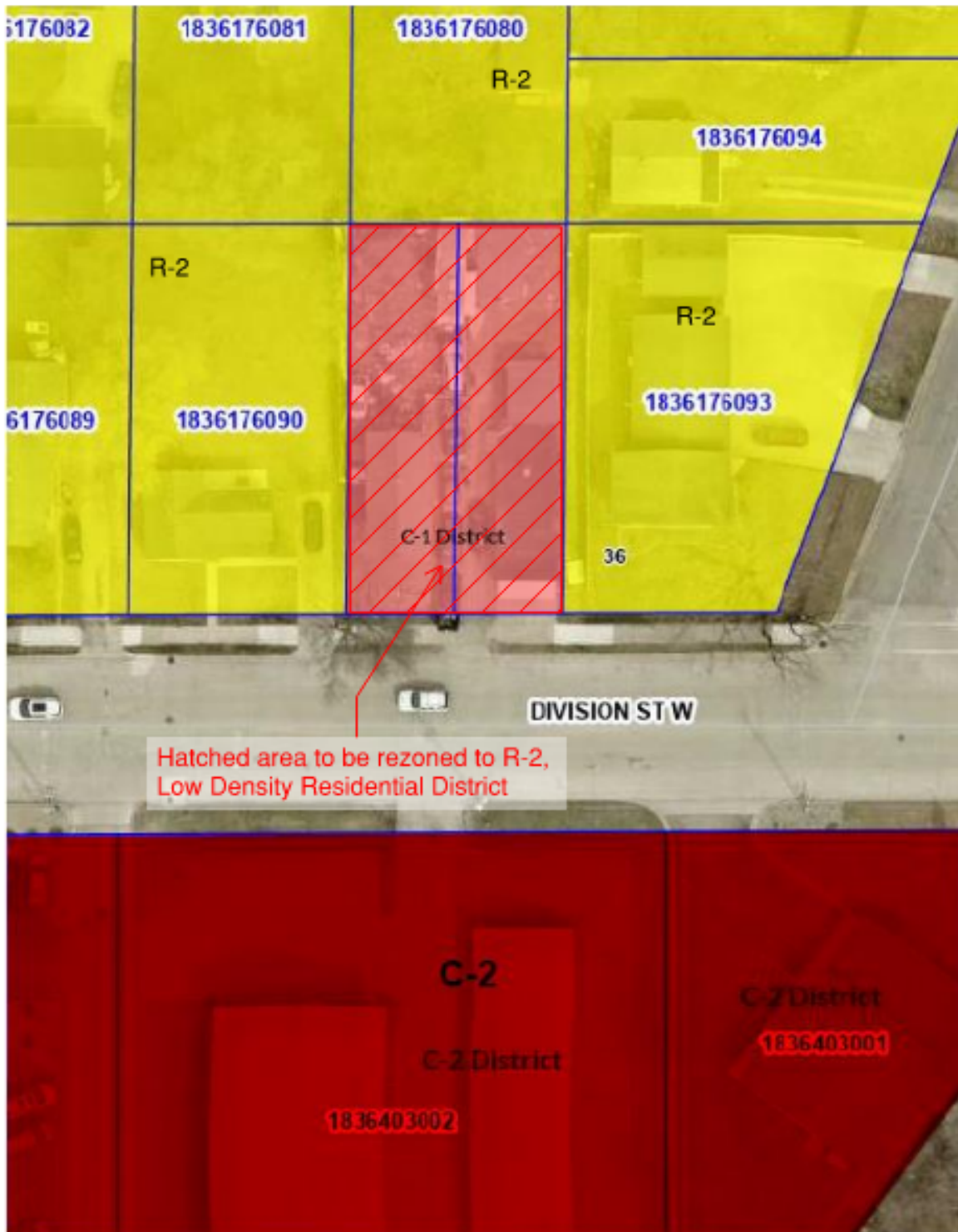
The East half($E\frac{1}{2}$) of lot fourteen (14) in block ten (10) of Fuller's addition to Faribault, Rice County, Minnesota; together with an easement for a right of way in, over and to the East four (4) feet of the South seventy (70) feet of the West half ($W\frac{1}{2}$) of said lot fourteen (14), and excepting and reserving a like easement in, over and to the West four (4) feet of the south (70) feet of the East half ($E\frac{1}{2}$) of said lot; said easements to constitute a right of way eight (8) feet in width from East to West and seventy (70) feet in length from North to South; to be used by the adjoining property owners and their successors and assigns and it is further understood that the adjoining owners will contribute equally at all times to the upkeep of said driveway, and failure of either party to do so, the defaulting party shall be deprived of the use of the same until paid by them or their successors or assigns.

Parcel B. 1016 Division St W PID# 18.36.1.76.091

The West One-half ($W\frac{1}{2}$) of Lot 14, Block 10 in Fuller's Addition to Faribault, Rice County, Minnesota; Subject to an easement for a right of way in, over, and to the East 4 Feet of the South 70 Feet of the West One-half ($W\frac{1}{2}$) of said Lot 14; and together with an easement in, over, and to the West 4 Feet of the South 70 Feet of the East One-half ($E\frac{1}{2}$) of said Lot 14; said easements to constitute a right of way 8 Feet in width from East to West and 70 Feet in length from North to South, to be used by the adjoining property owners and their successors and assigns.

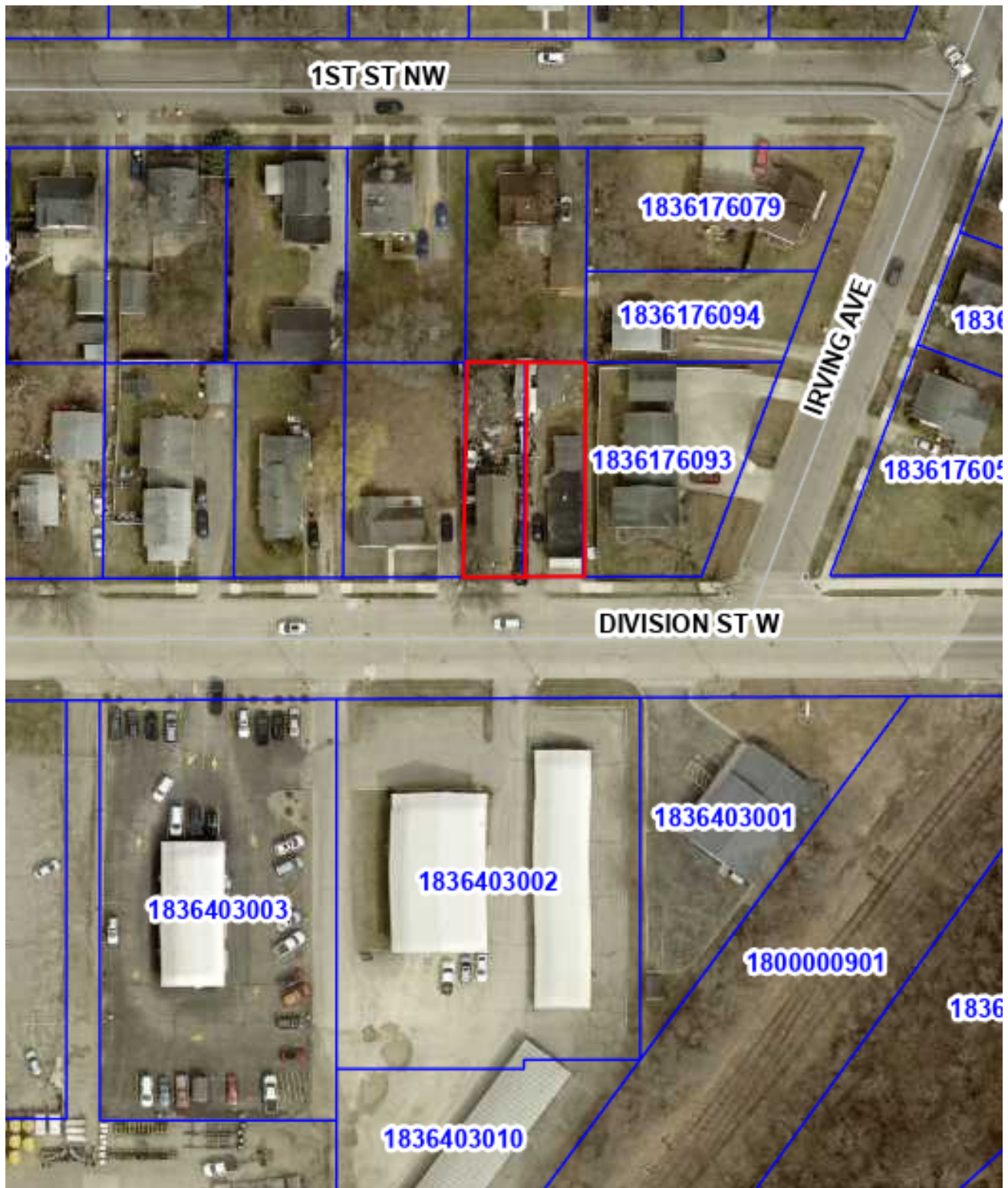
EXHIBIT B

Depiction of Rezoning Area to be reclassified from C-1 Neighborhood Commercial District to now be R-2, Low Density Residential District.



Zoning Map 1008 and 1016 Division St W

Location Map 1008 and 1016 Division St W





REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: Dave Wanberg, Community and Economic Development Director
FROM: Peter Waldock, Planning and Zoning Coordinator
MEETING DATE: June 5, 2023
SUBJECT: The City of Faribault is proposing to reclassify the zoning district designation at the Rice County Fairgrounds from O, Agriculture / Open Space to P-I, Public Institutional District, to better fit the existing uses of the property. The Rice County Fairgrounds are located at 1900 Fairgrounds Dr.

Background:

The Rice County Fairgrounds is another use zoned as O, Agricultural / Open Space District that has uses not clearly listed as permitted under the current zoning. The uses there not only include the annual County Fair, but the site also serves as an entertainment venue, with outdoor concerts, rodeos, car shows and similar events. It also provides for indoor winter storage of RV's, boats and automobiles. It is noted that MN Statutes 38.16 exempt County Fairgrounds located inside the corporate boundaries of a City from municipal zoning regulations.

The Planning Commission considered this matter at a work session on May 1, 2023 and has directed staff to proceed with an application for the City to reclassify the zoning on the Rice County grounds to P/I, Public Institutional District. The DRC considered this proposal at its meeting of May 23, 2023 and recommends approval.

Recommendation:

Approve findings in support of the proposed rezoning and recommend City Council approval.

Attachments:

1. Draft Ordinance
2. Location Map

3. Zoning Map

**CITY OF FARIBAULT
ORDINANCE No. 2023-__**

**REZONE THE RICE COUNTY FAIRGROUNDS SITE TO P-I, PUBLIC
INSTITUTIONAL DISTRICT AT 1900 FAIRGROUNDS DRIVE**

WHEREAS, the City of Faribault Planning Commission is proposing to reclassify the zoning district designation at the Rice County Fairgrounds from O, Agriculture / Open Space to P-I, Public Institutional District to better fit the existing uses of the property. The Rice County Fairgrounds are located at 1900 Fairgrounds Drive and the property is legally described in Exhibit A; and

WHEREAS, the proposed rezoning application is proposed as a part of implementation process of the Journey to 2040 Comprehensive Plan adopted by the City Council in 2022; and

WHEREAS, the proposed rezoning is applicable to Rice County Fairgrounds property and will not alter the existing uses at the site; and

WHEREAS, City zoning requirements at the site are subject to provisions of Minnesota Statute Section 38.16 which grants the County certain exceptions from City zoning ordinances; and

WHEREAS, the Development Review Committee of City Staff has discussed this matter and made a report to the Planning Commission; and

WHEREAS, the Planning Commission, on June 5, 2023, following proper notice, held a public hearing regarding the Applicant's requests; and

WHEREAS, based on a review of the City Staff report and the results of the public hearing, the Planning Commission recommended approval of the proposal to rezone the Rice County Fairgrounds site at 1900 Fairgrounds Drive per the following findings as required by Section 2-180 of the City's Unified Development Ordinance:

1. Criteria: Whether the amendment is consistent with the applicable policies of the City's Land Use Plan.

Finding: The City's Journey to 2040 Comprehensive Plan guides the Property for Institutional Uses. The proposed rezoning application to P-I, Public Institutional District is consistent with the City's Land Use Plan.

2. Criteria: Whether the amendment is in the public interest and is not solely for the benefit of a single property owner.

Finding: The proposed rezoning benefits the public by providing changing the zoning designations on site to reflect existing uses of the Fairgrounds and will better conform to established zoning requirements, consistent with the comprehensive plan and will not be of a sole benefit to the property owner.

3. Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The proposed rezoning application applies to the existing Fairgrounds site, that will be zoned to follow the Journey to 2040 Comprehensive Plan and will continue its compatibility with adjoining uses.

4. Criteria: Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The existing Fairground fit better in the list of permitted uses in the proposed district than the uses permitted under the current O, Agriculture and Open Space District.

5. Criteria: Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of a particular property.

Finding: The proposed zoning reclassification in this case is provided following the recommendations of the City's new comprehensive plan.

WHEREAS, the City Council conducted the first reading of this ordinance on June 13, 2023, and the second reading of this ordinance on _____, 2023; and

WHEREAS, based on City Staff's report, the results of the public hearing, and the written findings and recommendation of the Planning Commission, the City Council concurred with the findings of the Planning Commission as stated in the above recitals and made identical findings.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1. Findings. The recitals and exhibits in this ordinance are incorporated into this ordinance, and, where applicable, constitute the City Council's findings.

Section 2. Rezoning the Subject Property. The Property is hereby rezoned from O, Agriculture and Open Space District to P-I, Public Institutional District as proposed at 1900 Fairgrounds Drive as depicted on Exhibit B.

Section 3. Authorization to Execute Agreements. The Mayor and City Administrator are authorized and directed to execute and deliver any required additional agreements, certificates, or other documents the City Attorney determines necessary to implement this ordinance.

Section 4. Authorization to take Additional Steps. City Staff, City Consultants, and the City Attorney are authorized and directed to take any additional steps and actions necessary or convenient to accomplish the intent of this ordinance.

Section 5. Effective Date. This ordinance shall be effective immediately upon its passage and publication according to the Faribault City Charter.

First Reading: June 13, 2023

Second Reading: _____, 2023

Publication Date: _____, 2023

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

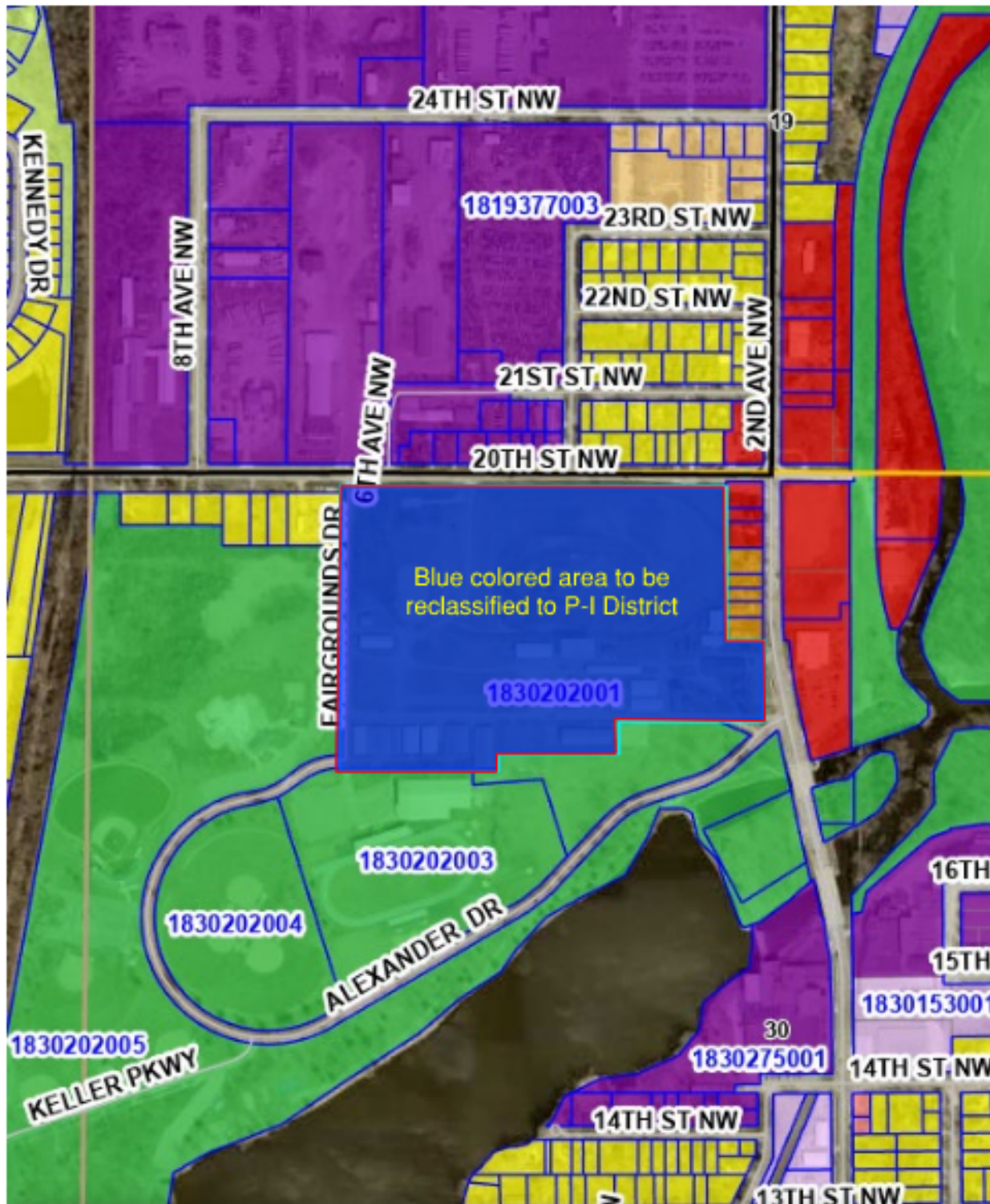
**EXHIBIT A:
LEGAL DESCRIPTION**

LOT 1, BLOCK 1, NORTH ALEXANDER ADDITION, CITY OF FARIBUALT,
COUNTY OF RICE, STATE OF MINNESOTA

PID# 18.30.2.02.001

ADDRESS: 1900 FAIRGROUNDS DRIVE

EXHIBIT B



Rice County Fairgrounds PID 1830202001
1900 Fairgrounds Dr.



