PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS	TUESDAY, JANUARY 2, 2024	6:00 PM

1. Call to Order
2. Approval of the Minutes
3. Public Hearings
   - A. Rice County HRA - Twin Oaks Subdivision
     - i Draft Resolution Approving Variances for Length of a Cul-de-sac and Number of Lots on a Cul-de-sac for Twin Oaks Subdivision
     - ii Draft Resolutions Approving the Preliminary and Final Plat Applications for Twin Oaks Subdivision Near Ames Trail and 1st Avenue NW
   - B. City of Faribault - River Ridge Fourth Addition/Viaduct Park
     - i Draft Ordinance Repealing Planned Unit Development Ordinances Associated with River Ridge Addition Plats
     - ii Draft Ordinance Vacating a Portion of the Right-of-way at the Intersection of 2nd Street NE and Heritage Place
     - iii Draft Resolution Approving the Preliminary and Final Plats for River Ridge Fourth Addition
4. Board & Commissions Updates & Reports
   - A. General Commissioner and Staff 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, DECEMBER 18, 2023	6:00 PM

Meeting Items

1. Call to Order

   Chair David Campbell called the regular meeting of the Planning Commission to order at 6:00. In attendance were Commissioners Barton Jackson, Michael Salt, Steve White and Chair Campbell. Also in attendance were Harry Davis, City Planner, Peter Waldock, Planning Coordinator, and Kari Casper, Administrative Assistant II.

2. Approval of the Minutes of 10/16/2023 and 11/6/2023

   A motion was made by Barton Jackson, seconded by Michael Salt to approve the meeting minutes of October 16, 2023. Another motion was made by Barton Jackson, seconded by Michael Salt to approve the meeting minutes of November 6, 2023. Both motions passed unanimously.

3. Public Hearings

A. Recommendations on Alee Services Inc., application for a Conditional Use Permit for the adaptive reuse of the Church at 1132 6th St NW (PID # 18.36.1.00.058) as a professional office.

   Waldock gave a presentation on the application for the CUP for Alee Services. Waldock indicated that the buyers are currently working on a shared parking agreement with the School District which is being developed at this time. They do not expect any complications with that and that happens to be one of the development standards. DRC is requesting accessibility standards be met for the development standards as well. This will require curb ramps and painted crosswalks, as well as ADA signage. If they are not able to make a shareable parking agreement, there are other options such as applying for a variance for on-site parking. DRC finds it to be a very good use for this location.

   The Chair then brought the matter back for discussion. With no one coming forward, the chair opened the matter up for public hearing at 6:17 p.m. Angie Wilson, 700 Northwood Drive, Janesville, MN, owner of Alee Services, came forward and stated that they've been on Central Avenue for quite some time and when this church became available, they now will be able to have different spaces where they can teach life skills to become more independent for their clients. They are hoping they can come to an agreement with the school which will be their best bet. There were no further questions and the chair then closed the public hearing at 6:23.

   A motion was made by Steven White, seconded by Michael Salt to recommend approval based on the findings amid conditions for the application for adaptive reuse of the former place of worship for professional offices at 1132 6th St NW as presented. The motion passed on a unanimous vote.

   This matter will go to City Council on 12/26.

4. Board & Commissions Updates & Reports

No updates at this time.

A. Approve the 2024 Planning Commission Meeting Schedule

No discussion took place. Motion by Barton Jackson, seconded by Michael Salt to Approve. Motion Passed.

5. Adjournment

Motion by Michael Salt, seconded by Barton Jackson to Adjourn at 6:26 p.m. The motion passed unanimously.

Respectfully submitted,

By:_____
Kari Casper, Recording Secretary

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner Mark DuChene, City Engineer
MEETING DATE:	January 2, 2024
SUBJECT:	Rice County HRA - Twin Oaks Subdivision

Background:

The Rice County HRA , is requesting approval of a preliminary plat, final plat, and variances for Twin Oaks Subdivision near the corner of Ames Trail and 1st Avenue NW. The Twin Oaks Subdivision proposal includes 22 single-family lots, one lot for parkland, and one outlot for a subdivision sign. The plat also includes a single public street off 1st Avenue NW, capped by a cul-de-sac. Most lots within the subdivision are 0.17 acres or more and roughly 66-feet by 110-feet on the north side of Twin Oaks Court. Lots on the south side are mostly 0.20 acres or more and are generally larger at roughly 66-feet by 154-feet to accommodate a drainageway along the southern subject property line. The proposal does require two variances for the number of lots on a cul-de-sac street, 22 lots on the plat versus a 20 lot maximum, and the length of the cul-de-sac street, roughly 775-feet on the plat when 650-feet is the maximum.

The proposed preliminary and final plats are consistent with the UDO and the requested variances meet criteria for granting a variance. Please see the attached staff report and draft resolutions for more information.

Recommendation:

The DRC, City Engineer, and City Planner recommend Planning Commission forward recommending approval of Twin Oaks Subdivision to City Council based on the findings and conditions in the attached draft resolutions.

Attachments:

1. Staff Report

Staff Report to the Planning Commission

TO:	Planning Commission
THROUGH:	David Wanberg, Community and Economic Development Director
FROM:	Harry Davis, City Planner Mark DuChene, Director of Engineering/City Engineer
MEETING DATE:	January 2, 2024
SUBJECT:	Rice County HRA, Applications for Preliminary Plat, Final Plat, and Variance near Ames Trail and 1st Avenue NW

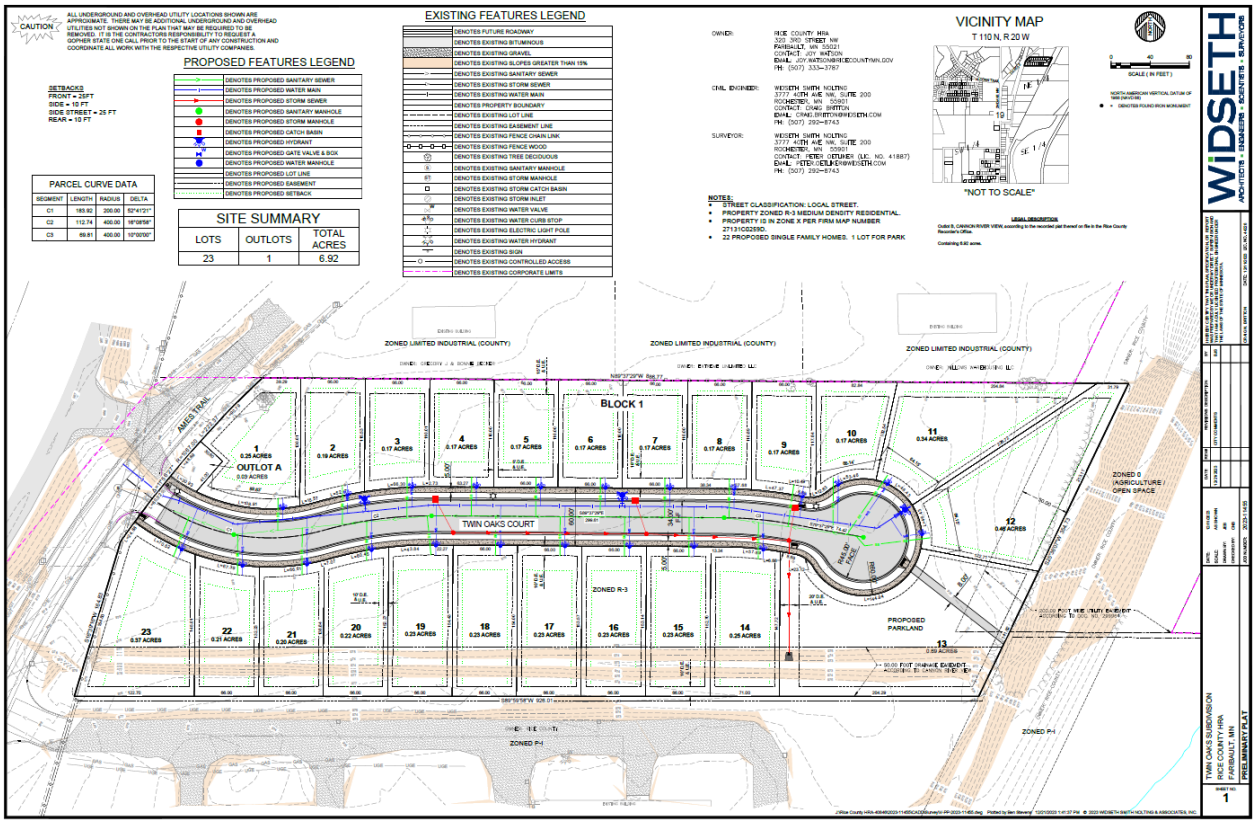
Background:

The Rice County HRA (Owner), is requesting approval of a preliminary plat, final plat, and variances for Twin Oaks Subdivision near the corner of Ames Trail and 1st Avenue NW. The Twin Oaks Subdivision proposal includes 22 single-family lots, one lot for parkland, and one outlot for a subdivision sign. The plat also includes a single public street off 1st Avenue NW, capped by a cul-de-sac.

Subject property location and context

K:\Common Share\Projects\2023\23-XXX Twin Oaks Preliminary and Final Plat - Rice County HRA\Review 1\P&Z

Most lots within the subdivision are 0.17 acres or more and roughly 66-feet by 110-feet on the north side of Twin Oaks Court. Lots on the south side are mostly 0.20 acres or more and are generally larger at roughly 66-feet by 154-feet to accommodate a drainageway along the southern subject property line. The proposal does require two variances for the number of lots on a cul-de-sac street, 22 lots on the plat versus a 20 lot maximum, and the length of the cul-de-sac street, roughly 775-feet on the plat when 650-feet is the maximum.



Preliminary plat

The site is located within Section 19, Township 110N, Range 20W on land dedicated as Outlot B CANNON RIVER VEW.

The proposed development will be completed by:

Owner/Developer:	Rice County HRA
Surveyor:	Widseth
Engineer:	Widseth

PLAT

Developer has submitted a preliminary and final plat for TWIN OAKS SUBDIVISION. The preliminary and final plat contains two (22) lots for single-family development and one (1) lot for public park development. It

also includes one (1) outlot to be maintained by the Developer for a monument sign.

The areas within the plat include:

Lots 1-23, Block 1	(except lot 13)	4.75 acres	(217,484 sf)
Lot 13, Block 1	(park land)	0.69 acres	(32,271 sf)
Outlot A	(sign)	0.03 acres	(1,361 sf)
ROW	(Twin Oaks Ct)	1.45 acres	(52,338 sf)
Total		6.92 acres	(303,454 sf)

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.

Discussion:

The proposed preliminary plat of Twin Oaks Subdivision is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

Preliminary Plat

1. Existing and Surrounding Conditions. The subject property is an undeveloped 6.92-acre outlot for Cannon River View subdivision with existing commercial and single-family properties to the north and more single-family residences west across Faribault Boulevard. To the south is the Rice County Public Safety Center and undeveloped land within the Cannon River floodplain to the east. The property immediately to the east of the subject property will be a trail in the future.

The site is largely without foliage or features, except for trees along property lines to the north and east, as well as a large drainageway along the southern property line within a 50-foot drainage easement.

2. Relationship to the Journey to 2040 Comprehensive Plan. The Journey to 2040 Comprehensive Plan guides the subject property for "planned residential neighborhood." The proposed preliminary plat is consistent with the City's land use plan for this property.

3. Relationship to the Official Zoning Map. Faribault's Official Zoning Map identifies the subject property as being in the R-3, Medium-Density Residential zoning district. The proposed preliminary plat is consistent with the uses and bulk regulations of the R-3 zoning district, but the applicant needs to provide additional information on the plat to verify lot widths are consistently compliant. Refer to the lot layout section of this report for additional information.

4. Street and Site Layout. Developer shall submit a street signage layout plan for City approval as part of construction plan submittals. Developer shall be responsible for all costs associated with installing street name and regulatory signs within the development as directed by the City.

1ST Avenue NW

The site is east of and adjacent to 1st Avenue NW. 1st Avenue NW is a local roadway and is constructed as a 36-foot wide, undivided urban roadway within a 66-foot right-of-way with no sidewalks.

Twin Oaks Court is proposed to connect to 1st Avenue NW. No other improvements to 1St Avenue NW are proposed.

Twin Oaks Court

Twin Oaks Court is proposed to be a local street and extended from its current terminus on the west end from 1st Avenue NW to its eastern terminus at a cul-de-sac. Twin Oaks Court is proposed to be constructed as a 34-foot wide, undivided urban roadway with parking on both sides and 5-ft concrete sidewalk on both sides of the road within a 60-ft right-of-way and terminates in a cul-de-sac with a curb radius of 45-feet inside of a 60-ft right-of-way radius.

The Developer is responsible for 100% of the costs to construct Twin Oaks Court.

The proposed Twin Oaks Court is a roughly 775-foot long cul-de-sac serving 22 future residential lots on the subject property. Section 15-280 of the City's Unified Development Ordinance (UDO) allows a cul-de-sac to have a 50-foot right-of-way, which is reflected in the proposal. The UDO also limits a cul-de-sac to 650 feet in length, and it limits the number of lots served by a cul-de-sac to 20, so the applicant submitted a variance to both requirements which are discussed further in this report. The City's Community Management Plan allows streets with cul-de-sacs to have a paved width of 30 feet face-to-face of curb.

5. Easements. There is an existing 50-foot wide drainage easement on the south side of the proposed development that contains an open channel drainage ditch constructed and dedicated as part of the Cannon River View plat improvements. This drainage easement shall remain and no structures or grading alterations shall be permitted in said easement. Perimeter drainage and utility easements shall be provided on all lots in accordance with City Code and subject to the final review and approval of the City Engineer.

6. Size and Layout of the Proposed Lots. The proposed preliminary plat provides 22 single-family detached lots. The lot layout is consistent with sound planning and engineering principles. All proposed lots exceed the 6,000 square foot minimum lot area for lots in the R-3, Medium-Density Residential zoning district. The R-3 District requires that lots have a minimum width of 66 feet. Lot width is calculated at the building setback line for lots with radial frontage. With small edits to the preliminary plat, staff can confirm all lots meet lot width requirements.

7. Proposed Housing Type. The Applicant anticipates that the lots will accommodate single-family detached houses. The Applicant did not prepare protective covenants or restrictions for the neighborhood, but the presence of Outlot A for the subdivision sign will require some sort of agreement included in the Developers Agreement or in a separate document.

8. Parkland Dedication. The subject property is 6.92 acres, which requires parkland dedication of approximately 0.48 acres for a residential subdivision. Lot 13 in the proposed subdivision is intended for parkland dedication, but is shy of the requirement by approximately 0.03 acres due to the large 50-foot wide drainage easement and drainageway. The Applicant intends making upgrades to Lot 13 for use as a park that would satisfy a fee in-lieu of parkland dedication for the remaining 0.03 acres. The improvements are included in the Developers Agreement and shall be completed prior to the City taking over Lot 13.

9. Proposed Trail and Sidewalk. The City's Sidewalk-Trail Plan does not identify any future trails within or adjacent to the subject property, but the preliminary plat suggests a future trail to the east. As a part of the parkland dedication and improvements, a connection between the proposed cul-de-sac and the future trail to the east is forthcoming. The future trail to the east will be constructed by the City in 2024 under a separate contract and connect the Twin Oaks Subdivision to the City's existing trail system at Two Rivers Park.

10. Existing Trees. The property is without trees since at least 2015. Prior to Rice County utilizing the property for construction staging of the new facility to the south, the subject property was farmed. Any foliage on the property exists on the northern and eastern property lines.

11. Grading, Drainage and Erosion Control. The development is located within the Cannon River (M-048) district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site is proposed to be routed to the new Cannon River View Regional Stormwater Basin and then ultimately discharged to the Cannon River.

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 have been 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 propose to disturb 5.70 acres which include the addition of an estimated 2.35 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 have been incorporated into the final design of the Cannon River View Regional Stormwater 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.

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.

12. Wetlands and Scenic and Wild River. There are no known wetlands on the site. The site is west of and adjacent to the City's Scenic and Wild River overlay zoning district.

13. Utilities and Easements.

SANITARY SEWER

The development is proposed to be served by public sanitary sewer facilities. Eight-inch sanitary sewer mains shall be extended within Twin Oaks Court. The sewers flow to existing facilities within 1st Avenue NW. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Developer is responsible for all costs associated with 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.

WATERMAIN

The development is proposed to be served by public watermain facilities. Eight-inch watermains shall be extended within Twin Oaks Court. The Developer is responsible for all costs associated with watermain 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. Final hydrant location and spacing shall be approved by the Fire Chief.

LIGHTING & ELECTRIC UTILITIES

The Developer shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198. Developer shall submit a proposed street light layout plan to the

City for review and approval. Developer shall pay the electric company for the purchase of all components of the street lighting system as approved by the City and all costs incurred by the utility company for the installation of the street light system not covered in the electric utility company rate for this service. The City and electric company shall enter into a contractual agreement for the operation and maintenance of the street lighting system.

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 Developer 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 underground in conjunction with the arranging of utility servicing for the newly created lots with the subdivision and the installation of street lights.

14. Phasing and Development Schedule. Presuming the City Council approves the preliminary and final plats, the Applicant and City will enter into a Development Agreement that will address the details, responsibilities, and costs associated with the proposed subdivision. The Applicant intends to construct the street and rough grade the lots in 2024. The Applicant may allow Habitat for Humanity to purchase and build homes on a few of the lots, then allow other builders to construct houses on the remaining lots based on market demand.

Final Plat

The proposed final plat of Twin Oaks Subdivision is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

1. Final Plat Requirements. The final plat is consistent with the preliminary plat and, upon meeting conditions of approval, is ready for final plat approval.

2. Title Documentation. Current title work shall be submitted and shall be subject to the review of the City and City Attorney.

3. Developers Agreement. Developer shall enter into a Developer's Agreement with the City prior to any construction work beginning and shall submit the necessary insurance and financial security.

Developer shall submit a detailed cost estimate for all the proposed improvements for the purposes of determining development security amounts.

4. Construction Documents. Developer shall submit construction plans and specifications for the proposed project to the City Engineer for review and approval prior to any construction starting. Plans and specifications shall be designed to meet the City of Faribault standards and the latest editions of the Minnesota Department of Transportation Standard Specifications for Construction and the City Engineers Association of Minnesota Standard Specifications.

Variance

The proposed variances for Twin Oaks Subdivision do meet the criteria for granting approval and the following provides a summary of major points:

1. Criteria for Approval. Generally, the proposed variances for the number of lots on a dead-end or cul-de-sac street (22, maximum is 20) and length of said street (approximately 775 feet, maximum is 650 feet) are in harmony with the UDO and allow for reasonable use of the property. The subject property is a deep, platted outlot lot in the existing Cannon River View subdivision used to create the property currently under construction for the Rice County Public Safety Center. There are many considerations around the size of the new Public Safety Center, which includes any space and separation needs for such a use. Although the property owner created the deep subject property, the needs of the Public Safety Center are unique circumstances that attributed to the unique position of the subject property. The subject property is hemmed in by drainageways, topography and trails, a floodplain, and existing or proposed development to the north and south. Considering all of these aspects, the property is under unique circumstances that do not generally apply to other properties nearby, in the same zoning district, or in the city. Although the applicant and owner team had some control over placement of the Public Safety Center, the health, safety, and welfare of the public protected by the future county facility are paramount. In total, topography, drainage, existing development, and floodplain are all unique circumstances that are not a result of the applicant's actions alone. The requested variances are the minimum variance needed to make reasonable use of the property and are will not alter the essential character of the neighborhood.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed plats and variances on December 19, 2023, and recommended conditional approval of the preliminary and final plats. The Applicant revised the preliminary and final plats to address the DRC's conditions of approval. Consequently, the DRC is recommending approval of the proposed variances and plats.

Public Comments Received. The City Planner received no public comment prior to publishing this report.

Criteria and findings for approving this plat and associated variances are found in the attached draft resolutions.

Recommendation:

The DRC, City Engineer, and City Planner recommend Planning Commission forward recommending approval of Twin Oaks Subdivision to City Council based on the findings and conditions in the attached draft resolutions.

Attachments:

- Variance Exhibit
- Preliminary Plat
- Final Plat

VARIANCE EXHIBIT

SITE SUMMARY		
LOTS	OUTLOTS	TOTAL ACRES
23	1	6.92

OWNER: RICE COUNTY HRA
320 3RD STREET NW
FARIBAULT, MN 55021
CONTACT: JOY WATSON
EMAIL: JOY.WATSON@RICECOUNTYMN.GOV
PH: (507) 333-3787

CIVIL ENGINEER: WIDSETH SMITH NOLTING
3777 40TH AVE NW, SUITE 200
ROCHESTER, MN 55901
CONTACT: CRAIG BRITTON
EMAIL: CRAIG.BRITTON@WIDSETH.COM
PH: (507) 292-8743

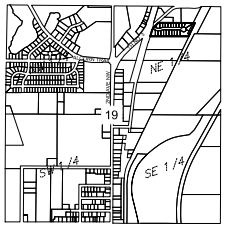
SURVEYOR: WIDSETH SMITH NOLTING
3777 40TH AVE NW, SUITE 200
ROCHESTER, MN 55901
CONTACT: PETER OETLIKER
EMAIL: PETER.OETLIKER@WIDSETH.COM
PH: (507) 292-8743

NOTES:

- STREET CLASSIFICATION: LOCAL STREET.
- PROPERTY ZONED R-3 MEDIUM DENSITY RESIDENTIAL.
- PROPERTY IS IN ZONE X PER FIRM MAP NUMBER 27131C0259D.
- 22 PROPOSED SINGLE FAMILY HOMES. 1 LOT FOR PARK

VICINITY MAP

T 110 N, R 20 W



"NOT TO SCALE"

NORTH

0 40 80

SCALE (IN FEET)

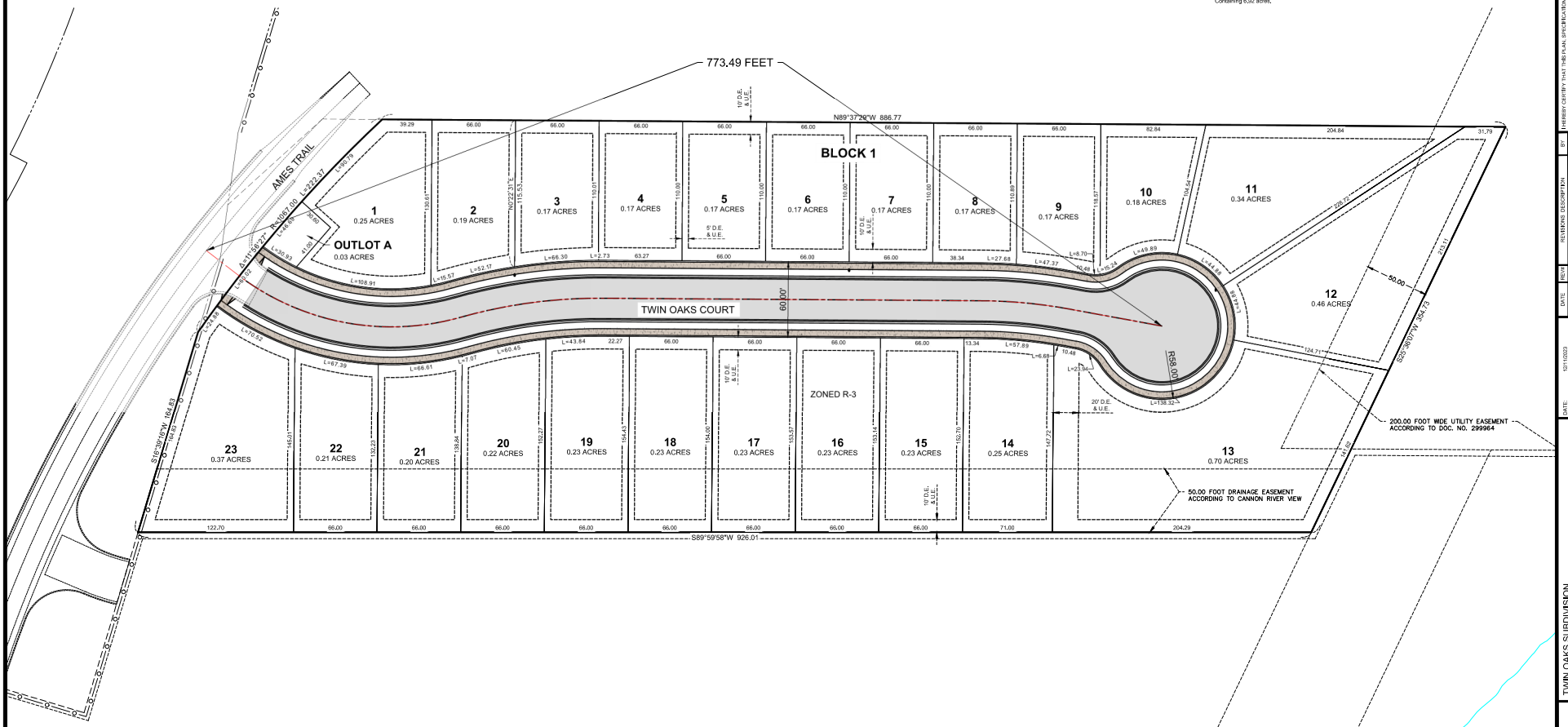
NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

● = DENOTES FOUND IRON MONUMENT

LEGAL DESCRIPTION

Outlot B, CANNON RIVER VIEW, according to the recorded plat thereof on file in the Rice County Recorder's Office.

Containing 6.92 acres.



WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

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.

CRAIG A. BRITTON — DATE: 12/19/2023 LIC. NO. 43239

BY	REVISIONS DESCRIPTION	REV#	DATE

DATE: 12/19/2023
SCALE: AS SHOWN
DRAWN BY: AB
CHECKED BY: CAB
JOB NUMBER: 2023-11455

TWIN OAKS SUBDIVISION
RICE COUNTY HRA
FARIBAULT, MN
VARIANCE EXHIBIT

SHEET NO. 1

J:\Rice County HRA-40846\2023-11455\CADD\Survey\V-VAR-2023-11455.dwg Plotted by:Ben Stevens 12/19/2023 5:42:40 PM © 2023 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

CAUTION

ALL UNDERGROUND AND OVERHEAD UTILITY LOCATIONS SHOWN ARE APPROXIMATE. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRED TO BE REMOVED. IT IS THE CONTRACTORS RESPONSIBILITY TO REQUEST A GOPHER STATE ONE CALL PRIOR TO THE START OF ANY CONSTRUCTION AND COORDINATE ALL WORK WITH THE RESPECTIVE UTILITY COMPANIES.

PROPOSED FEATURES LEGEND

DENOTES PROPOSED SANITARY SEWER
DENOTES PROPOSED WATER MAIN
DENOTES PROPOSED STORM SEWER
DENOTES PROPOSED SANITARY MANHOLE
DENOTES PROPOSED STORM MANHOLE
DENOTES PROPOSED CATCH BASIN
DENOTES PROPOSED HYDRANT
DENOTES PROPOSED GATE VALVE & BOX
DENOTES PROPOSED WATER MANHOLE
DENOTES PROPOSED LOT LINE
DENOTES PROPOSED EASEMENT
DENOTES PROPOSED SETBACK

SETBACKS
FRONT = 25FT
SIDE = 10 FT
SIDE STREET = 25 FT
REAR = 10 FT

PARCEL CURVE DATA

SEGMENT	LENGTH	RADIUS	DELTA
C1	183.92	200.00	52°41'21"
C2	112.74	400.00	16°08'58"
C3	69.81	400.00	10°00'00"

SITE SUMMARY

LOTS	OUTLOTS	TOTAL ACRES
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EXISTING FEATURES LEGEND

DENOTES FUTURE ROADWAY
DENOTES EXISTING BITUMINOUS
DENOTES EXISTING GRAVEL
DENOTES EXISTING SLOPES GREATER THAN 15%
DENOTES EXISTING SANITARY SEWER
DENOTES EXISTING STORM SEWER
DENOTES EXISTING WATER MAIN
DENOTES PROPERTY BOUNDARY
DENOTES EXISTING LOT LINE
DENOTES EXISTING EASEMENT LINE
DENOTES EXISTING FENCE CHAIN LINK
DENOTES EXISTING FENCE WOOD
DENOTES EXISTING TREE DECIDUOUS
DENOTES EXISTING SANITARY MANHOLE
DENOTES EXISTING STORM MANHOLE
DENOTES EXISTING STORM CATCH BASIN
DENOTES EXISTING STORM INLET
DENOTES EXISTING WATER VALVE
DENOTES EXISTING WATER CURB STOP
DENOTES EXISTING ELECTRIC LIGHT POLE
DENOTES EXISTING WATER HYDRANT
DENOTES EXISTING SIGN
DENOTES EXISTING CONTROLLED ACCESS
DENOTES EXISTING CORPORATE LIMITS

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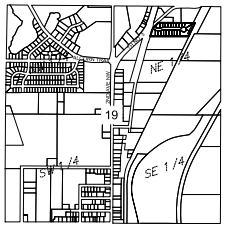

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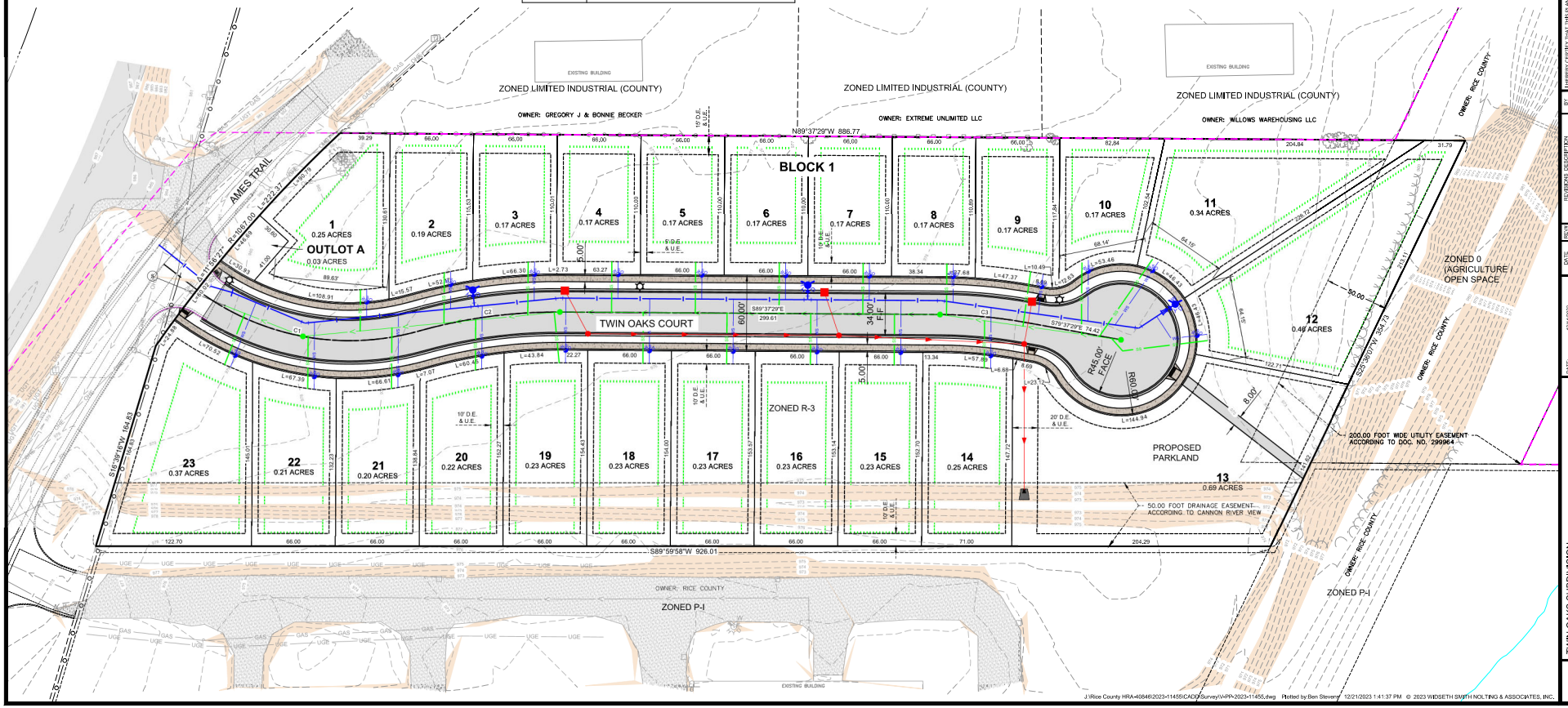

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ARCHITECTS • ENGINEERS • SCIENTISTS • BUILDERS

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.

CRAIG A. BRITTON — DATE: 12/11/2023 — LIC. NO. 43239

BY	REVISIONS DESCRIPTION	DATE	PE/LS
SJS	CITY COMMENTS	12/7/2023	

DATE: 12/7/2023
SCALE: AS SHOWN
DESIGNED BY: SJS
DRAWN BY: CJB
CHECKED BY: CAB
JOB NUMBER: 2023-11455

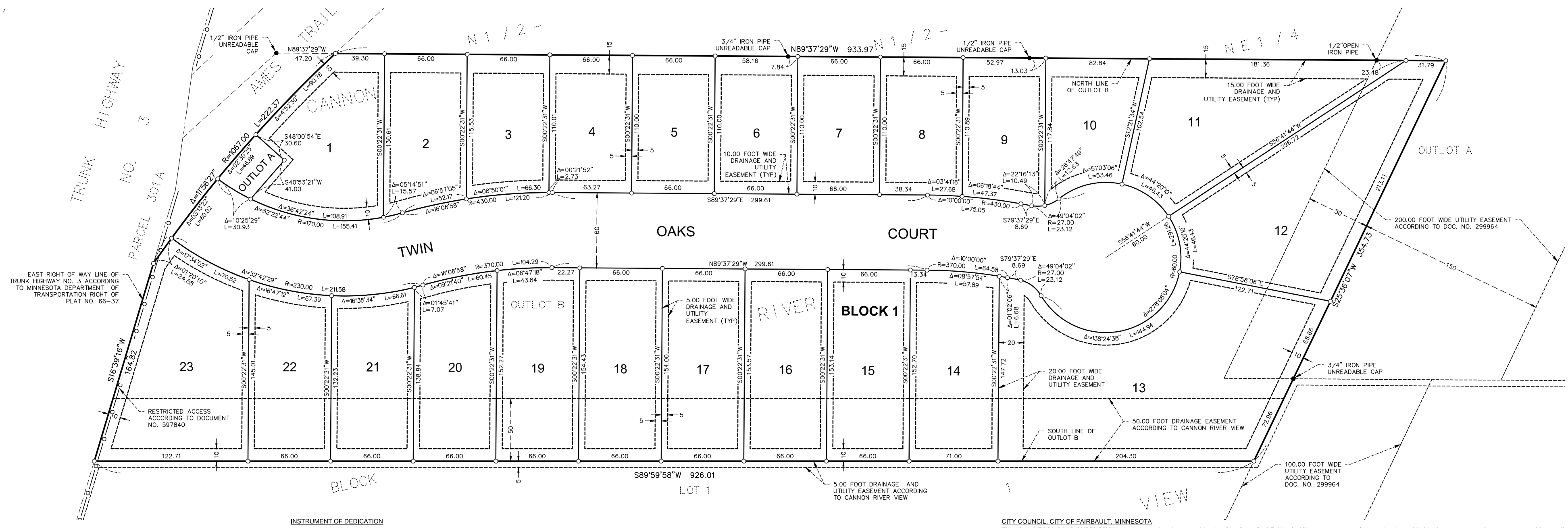
TWIN OAKS SUBDIVISION
RICE COUNTY HRA
FARIBAULT, MN

PRELIMINARY PLAT

SHEET NO.
1

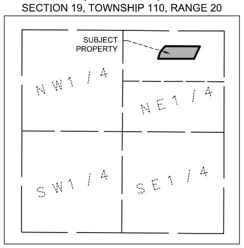
J:\Rice County HRA-40846\2023-11455\CADD\Survey\VAPR-2023-11455.dwg Plotted by:Ben Stevens 12/21/2023 1:41:37 PM © 2023 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

TWIN OAKS SUBDIVISION



OWNER/ DEVELOPER	RICE COUNTY HRA 320 3RD ST NW FAIRBAULT, MN 55021
SURVEYOR	PETER G. OETLIKER WIDSETH 3777 40TH AVE NW SUITE #200 ROCHESTER, MN 55901
DATE	DECEMBER 21, 2023

VICINITY MAP
(NOT TO SCALE)
SECTION 19, TOWNSHIP 110, RANGE 20



WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

INSTRUMENT OF DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS: That Rice County HRA, a Minnesota Municipal Corporation, owner of the following described property:

Outlot B, CANNON RIVER VIEW, according to the recorded plat thereof on file in the Rice County Recorder's Office.

Have caused the same to be surveyed and platted as TWIN OAKS SUBDIVISION and does hereby dedicate to the public for public use forever the thoroughfares and also dedicate the easements as shown on this plat for drainage and utility purposes only.

IN WITNESS WHEREOF said Rice County HRA, a Minnesota Municipal Corporation, has caused these presents to be signed by its proper officer this ______ day of ________________, 20____.

Rice County HRA

____

____

STATE OF ________________

COUNTY OF ______________

This instrument was acknowledged before me on ____________________________________, by ____________, Rice County HRA, a Minnesota Municipal Corporation, on behalf of the company.

____

____

Notary Public, ______________________

My Commission Expires: ________________

SURVEYOR'S CERTIFICATE

I, Peter G. Oetliker, 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 all public ways are shown and labeled on this plat.

Dated this________ day of ________________, 20____.

____

Peter G. Oetliker, Licensed Land Surveyor
Minnesota License No. 41887

STATE OF MINNESOTA

COUNTY OF ________________
This instrument was acknowledged before me on ______________________________, by Peter G. Oetliker.

____

____

Notary Public, ______________________

My Commission Expires: ________________

CITY COUNCIL, CITY OF FAIRBAULT, MINNESOTA

This plat of TWIN OAKS SUBDIVISION was approved and accepted by the City Council of Fairbault, 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 received 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.

______________________________ ______________________________

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 AND 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 and Elections Director

COUNTY RECORDER, COUNTY OF RICE, STATE OF MINNESOTA

I hereby certify that this plat of TWIN OAKS SUBDIVISION 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

NORTH

0 40 80
(IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE RICE COUNTY COORDINATE DATABASE NAD 83

● = DENOTES FOUND IRON MONUMENT
○ = DENOTES 1/2 INCH IRON PIPE MONUMENT SET AND MARKED RLS # 41887

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REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	Draft Resolution Approving Variances for Length of a Cul-de-sac and Number of Lots on a Cul-de-sac for Twin Oaks Subdivision

Background:
See Staff Report

Recommendation:
See Draft Resolution

Attachments:
1. Draft Resolution Approving Variances for Length of a Cul-de-sac and Number of Lots on a Cul-de-sac for Twin Oaks Subdivision

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2024- XXX

APPROVE VARIANCES FOR LENGTH OF A CUL-DE-SAC AND NUMBER OF LOTS ON A CUL-DE-SAC FOR TWIN OAKS SUBDIVISION

WHEREAS, Rice County HRA (the "Owner") requests approval of an application for two variances associated with Twin Oaks Subdivision for property near the intersection of Ames Trail and 1st Avenue NW as legally described below (the "Subject Property"):

> Outlot B, CANNON RIVER VIEW, according to the recorded plat thereof on file in the Rice County Recorder's Office.

WHEREAS, the proposed variance applications are submitted in association with preliminary and final plat applications; and

WHEREAS, the Owner wishes to subdivide the property as part of Twin Oaks Subdivision that creates 22 single-family lots on a 775-foot long cul-de-sac, as depicted in Exhibit A; and

WHEREAS, Chapter 15, Article 6, Section 15-280, Subsection B, of the City's Unified Development Ordinance states a cul-de-sac shall not serve more than twenty (20) lots nor be longer than six hundred fifty (650) feet in length; 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 January 2, 2024, 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 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.**

   Finding: The variances are necessary to permit development on the edge of the city. The variances will allow the applicant to build 22 single-family homes between the edge of the city and the future Rice County Public Safety Center. The City Engineer and City Planner determined a connection to the north is not needed or warranted, and a connection to the east or south is not possible due to county facilities and a mixture of topography, drainage, and floodplain. Therefore, the requested variances are in harmony with the general purpose and intent of the UDO.

2. **The variance is consistent with the Comprehensive Plan.**

   Finding: Granting the requested variances will permit appropriate land uses, which fit with the planned residential neighborhood guided by the Comprehensive Plan.

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

   Finding: The subject property is deep and is surrounded by existing or permitted future development and a future trail on top of significant topography, drainage, and floodplain concerns. The variances will allow for reasonable use of the property that would not be permitted by right in the UDO.

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.

Finding: The subject property is a deep, platted outlot lot in the existing Cannon River View subdivision used to create the property currently under construction for the Rice County Public Safety Center. There are many considerations around the size of the new Public Safety Center, which includes any space and separation needs for such a use. Although the property owner created the deep subject property, the needs of the Public Safety Center are unique circumstances that attributed to the unique position of the subject property. The subject property is hemmed in by drainageways, topography and trails, a floodplain, and existing or proposed development to the north and south. Considering these aspects, the property is under unique circumstances that do not generally apply to other properties nearby, in the same zoning district, or the city. Although the applicant and owner team had some control over the placement of the Public Safety Center, the health, safety, and welfare of the public protected by the future county facility are paramount. Topography, drainage, existing development, and floodplain are all unique circumstances that are not a result of the applicant's actions alone.

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

Finding: The variance applications will allow for development of residential similar to nearby properties and will not result in the alteration of the essential character of the neighborhood.

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

Finding: The proposed subdivision configuration and need for variances are to accommodate and make reasonable use of the subject property depth and adjacent land restrictions. For these reasons, they are the minimum necessary under the circumstances.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The variances are not attributed to economic conditions in this case. The findings above provide a clear picture that the variances requested are for the reasonable use of the property.

WHEREAS, the City Council, at a public meeting, on XXXX XX, 2024, 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 Chapter 15, Article 6, Section 15-280, Subsection B, of the Unified Development Ordinance as follows:

1. A cul-de-sac street with 22 lots where 20 lots is the maximum allowed.

2. A cul-de-sac street approximately 775 feet long where 650 feet is the maximum allowed.

Said approvals are 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. 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 3. Effective Date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: XXXX XX, 2024

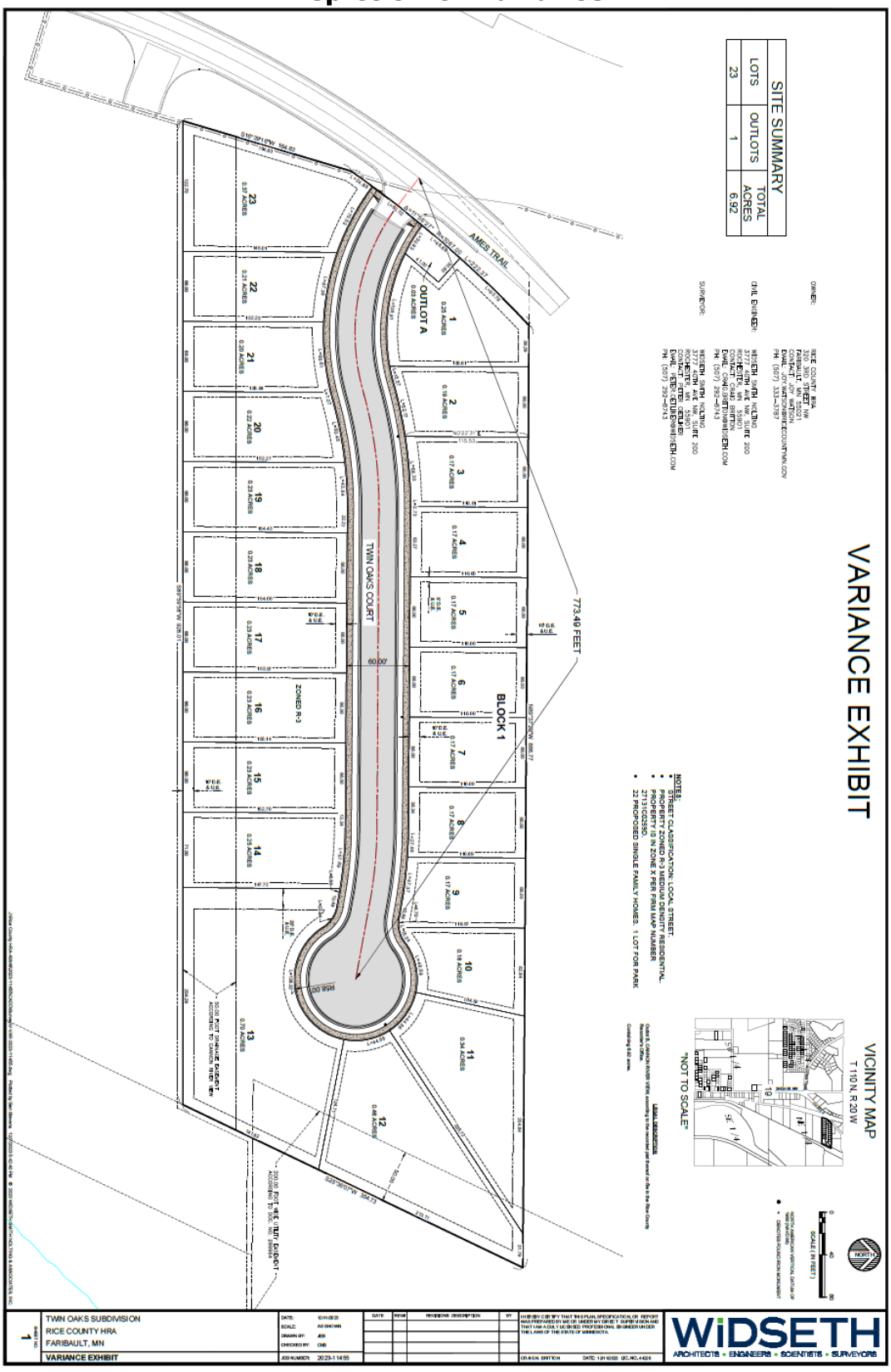
Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

Exhibit A
Depiction of Variance



REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	Draft Resolutions Approving the Preliminary and Final Plat Applications for Twin Oaks Subdivision Near Ames Trail and 1st Avenue NW

Background:
See Staff Report

Recommendation:
See Draft Resolution

Attachments:
1. Draft Resolution Approving the Preliminary and Final Plat Applications for Twin Oaks Subdivision Near Ames Trail and 1st Avenue NW

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2024- XXX

APPROVE THE PRELIMINARY AND FINAL PLAT APPLICATIONS FOR TWIN OAKS SUBDIVISION NEAR AMES TRAIL AND 1ST AVENUE NW

WHEREAS, Rice County HRA (the "Applicant") requests preliminary and final plat approval for 22 single-family lots, a parkland lot, and an outlot for a subdivision sign on property near the intersection of Ames Trail and 1st Avenue NW as legally described below (the "Subject Property"):

> Outlot B, CANNON RIVER VIEW, according to the recorded plat thereof on file in the Rice County Recorder's Office.

WHEREAS, the proposed preliminary and final plat applications are submitted in association with a variance application for the length of the proposed cul-de-sac and the number of lots served by the cul-de-sac; 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 January 2, 2024, 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 XXXX XX, 2024, 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 Twin Oaks Subdivision 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 provisions of the Unified Development Ordinance. The applicant is required to have any proposed covenants and a final developer's agreement prior to recording plats.

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 Planned Residential Development. The proposed residential 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 lots that are compatible with other properties in the vicinity and are generally consistent with good planning and engineering design principles.

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 lots in the preliminary plat are done in a manner consistent with the provisions of the City's Unified Development Ordinance and utilize good traffic engineering design and public safety considerations.

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 Twin Oaks Subdivision as depicted on Exhibit B, subject to certain 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 Applicant applied for the final plat approval concurrently with the preliminary plat. The Final Plat conforms to the preliminary plat as required.

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 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 plat for Twin Oaks Subdivision are hereby approved, subject to the following conditions:

1. The Applicant shall make the following changes to the preliminary and final plats prior to recordation:

2. Approval of the preliminary and final plats is dependent on successful granting of a variance for number of lots on a dead-end or cul-de-sac street and the length of said street. Failure to receive a variance shall void approval of the preliminary and final plats.

3. The Applicant shall adequately address all items as listed in the City

Attorney's plat opinion letter or as may be otherwise directed by the City Engineer, City Attorney, or others with review and approval authority of the City.

4. The final plat shall be recorded with the Rice County Recorder's Office within twelve (12) months following City Council approval unless extended by the City or it shall be deemed null and void.

5. The final plat shall be submitted in a digital format suitable to the City Engineer when the final plat is forwarded for required City signatures.

6. The Applicant shall enter into a Development Agreement with the City prior to recording the final plat and shall satisfy all terms and conditions set forth in the Development Agreement.

7. Before the approved final plat is filed with the Rice County Recorder's office, all applicable fees must be paid and the Developer must enter into a Development Agreement to the satisfaction of the City Attorney, and satisfy all requirements contained in the Development Agreement.

8. The Owner shall submit a title insurance policy upon recording the plat and will be subject to any requirements resulting from City Staff's and the City Attorney's review of the title work and plat opinion issued for this plat.

9. The Applicant shall dedicate Lot 13 to the City for use as parkland and make improvements to the park to satisfy parkland dedication requirements, as detailed in the Developer's Agreement.

10. 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: XXXX XX, 2024

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

Exhibit A
Depiction of the Preliminary Plat

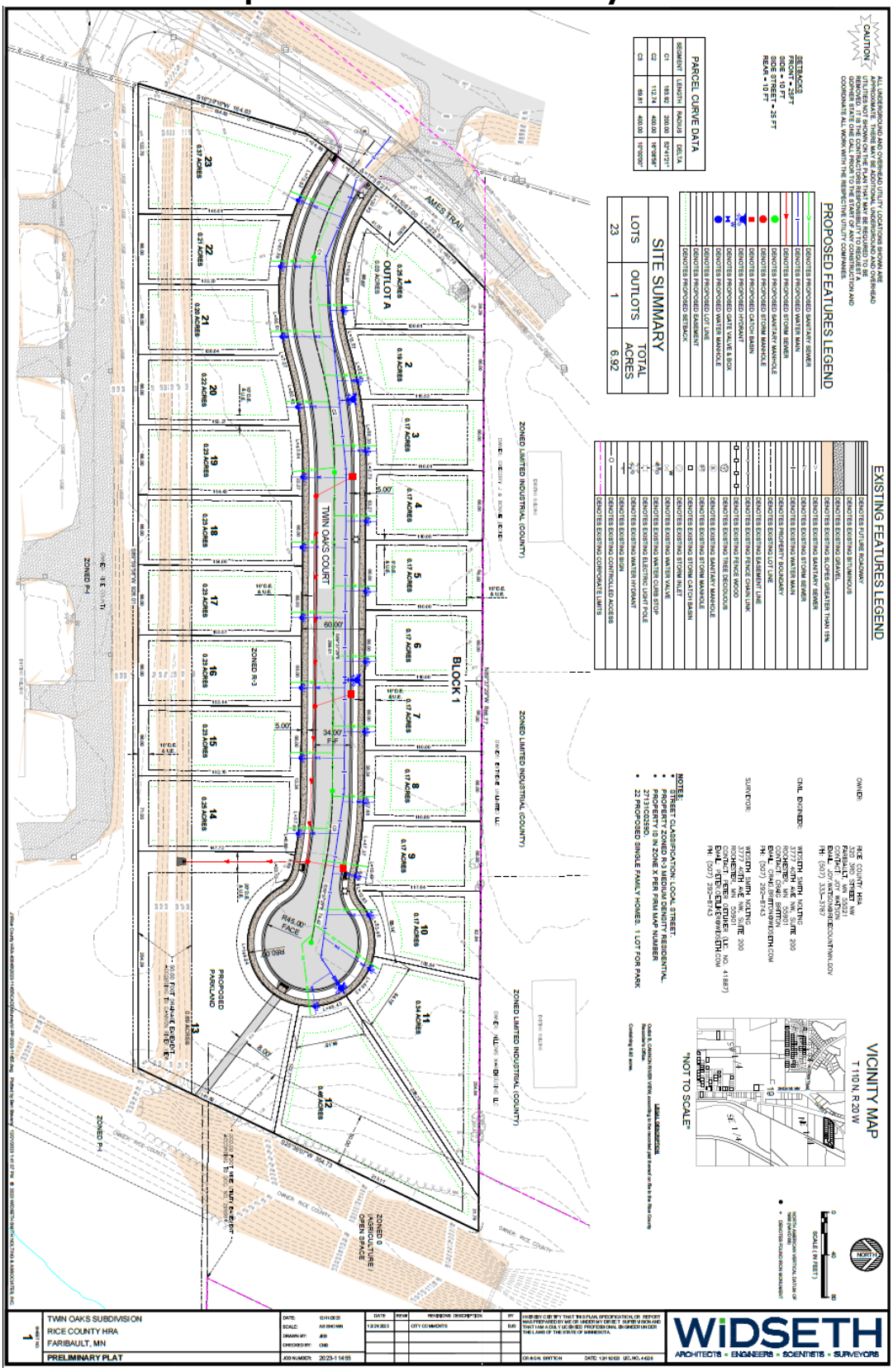
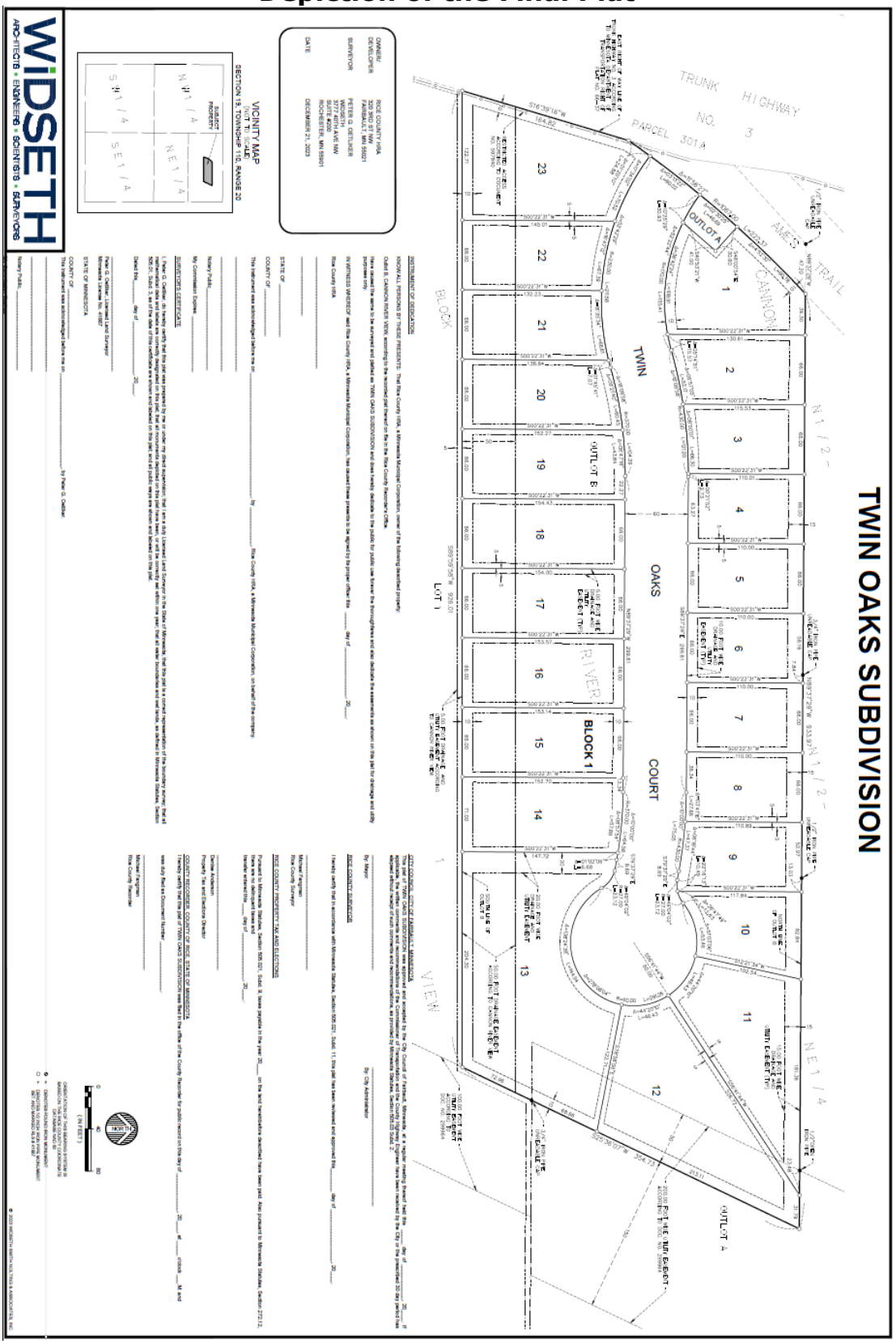


Exhibit B
Depiction of the Final Plat



REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner Mark DuChene, City Engineer
MEETING DATE:	January 2, 2024
SUBJECT:	City of Faribault - River Ridge Fourth Addition/Viaduct Park

Background:

The City of Faribault requests approval removing the River Ridge PUD, vacating right-of-way, and concurrent preliminary and final plats for River Ridge 4th Addition, generally near the intersection of 2nd Street NE and Heritage Place . In 2000 and 2001, the River Ridge PUD and original plat created property for a mix of residential and commercial spaces. Since the early 2000s, the economic and physical landscape shifted and the city of Faribault is in possession of the remaining, undeveloped properties within the PUD area. In keeping with the Comprehensive Plan, Parks Master Plan, and Sidewalk-Trail Plan, the City will develop a new park, called Viaduct Park. The proposed park will have park pavilion building, refrigerated skate ribbon and splash pad as well as general outdoor gathering spaces, trails and landscaping.

The proposed PUD amendment, right-of-way vacation, and preliminary and final plats are consistent with the planning and zoning aspects of the City's Unified Development Ordinance. Please see the attached staff report, ordinances, and resolution for additional information.

Recommendation:

The DRC, City Engineer, and City Planner recommend approval of River Ridge Fourth Addition to City Council based on the findings and conditions in the attached draft resolutions and ordinances.

Attachments:

1. Staff Report

Staff Report to the Planning Commission

TO:	Planning Commission
THROUGH:	David Wanberg, Community and Economic Development Director
FROM:	Harry Davis, City Planner Mark DuChene, Director of Engineering/City Engineer
MEETING DATE:	January 2, 2024
SUBJECT:	City of Faribault Viaduct Park, Applications to Repeal River Ridge PUD Overlay Ordinances, Vacate a Portion of the Right-of-Way at 2nd Street NE and Heritage Place, and Approve the Preliminary and Final Plats of River Ridge Fourth Addition

Background:

The City of Faribault (Applicant/Owner/Developer) requests approval removing the River Ridge PUD, vacating right-of-way, and concurrent preliminary and final plats for River Ridge 4th Addition, generally near the intersection of 2nd Street NE and Heritage Place depicted in attached plans.

Location within Downtown Area

K:\Common Share\Projects\2023\23-043 Viaduct Park PFP - Site Plan - Vacation Plat\P&Z Comments\Review 1

In 2000 and 2001, the River Ridge PUD and original plat created property for a mix of residential and commercial spaces. Since the early 2000s, the economic and physical landscape shifted and the city of Faribault is in possession of the remaining, undeveloped properties within the PUD area. In keeping with the Comprehensive Plan, Parks Master Plan, and Sidewalk-Trail Plan, the City will develop a new park, called Viaduct Park. The proposed park will have park pavilion building, refrigerated skate ribbon and splash pad as well as general outdoor gathering spaces, trails and landscaping.

Early concept image

The site is located within Section 31, Township 110N, Range 20W on land dedicated as Outlot B & D, RIVER RIDGE ADDITION, Tract B, REGISTRERED LAND SURVEY NO. 17, Lots 1-5, Block 75, ORIGINAL TOWN OF FARIBAULT and part of former Water Street and that part of Block 74 in the ORIGINAL TOWN OF FARIBAULT.

The proposed development will be completed by:

Owner/Developer: City of Faribault

Surveyor: Bolton and Menk

Engineer: Kimley Horn

PLAT

Developer has submitted a preliminary and final plat for RIVER RIDGE FOURTH ADDITION. The preliminary and final plat contains two (2) lots for public park development.

The areas within the plat include:

Lot 1, Block 1	0.84 acres	(36,581 sf)
Lot 2, Block 1	2.88 acres	(125,245 sf)
ROW	1.00 acres	(43,980 sf)
Total	3.72 acres	(205,806 sf)

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.

Discussion:

The proposed PUD amendment, right-of-way vacation, and preliminary and final plats are consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

PUD Amendment

1. Zoning Amendment Summary. The request to remove the River Ridge PUD is compliant with the city's criteria for zoning amendments and will not significantly alter development inconsistent with the underlying zoning and UDO. Removal of the UDO will allow for development of the park.

Right-of-Way Vacation

1. Right-of-way Vacation Summary. The proposed right-of-way vacation will not infringe or deter use or enjoyment on other properties and is needed to facilitate development of the park.

Preliminary Plat

1. Existing and Surrounding Conditions. The subject property is approximately 3 acres just east of the Crooked Pint property, west of the railroad tracks, south of Heritage Park, and north of the Division

Street viaduct. A mix of uses exist to the north and west, with MN DOT ROW to the south and single-family homes across the railroad tracks and Straight River.

2. Relationship to the Journey to 2040 Comprehensive Plan. The Journey to 2040 Comprehensive Plan guides the subject property for downtown and park uses The proposed preliminary plat is consistent with the City's land use plan for this property.

3. Relationship to the Official Zoning Map. Faribault's Official Zoning Map identifies the subject property (and adjacent properties) as being in the CBD, Central Business District zoning district. The proposed preliminary plat is consistent with the uses and bulk regulations of the CBD zoning district. Refer to the lot layout section of this report for additional information.

4. Proposed Trail in place of Sidewalk. The City's Sidewalk-Trail Plan identifies many critical projects and connections in this area. The Straight River Trail passes through the subject property and serves as a primary loop for pedestrian and cycling connectivity across Faribault. One of the goals of the plan shows greenspace distributed throughout the community, including downtown. One example within the plan showed greenspace developed along the Straight River from Division Street SW to 7th Street NW.

5. Existing Trees. The subject property is without trees and is expected, with development of the park, to include and bolster tree canopy and species within the area.

6. Wetlands and Shoreland. There are no known wetlands on the site. The subject property is within the Shoreland Overlay District for the Straight River. The plat conforms to shoreland requirements and any development proposed on the subject property shall also conform to shoreland requirements.

7. Street and Site Layout. The proposed site layout meets the City code regarding parking space dimensions and access drive widths and provides acceptable site circulation.

2nd Street NE

The site is south of and adjacent to 2nd Street SE a local roadway. 17th Street SW is a 28-foot wide, urban roadway and is within a 60-foot right-of-way with a sidewalk on both sides and terminates in a traffic circle on the east end. The traffic circle is proposed to be removed as part of a concurrent watermain replacement project, and

excess right-of-way vacated to accommodate the proposed park development. The road way will be reconfigured to be a 90-degree two-legged intersection with Heritage Place. The sidewalks will be connected to the park trails/sidewalks.

TH 60 (1st Avenue NE)

The site is north and east of TH 60 a minor arterial under the jurisdiction of MnDOT. TH 60 is a multilane undivided highway and is elevated with a bridge on the south side of the site. The site is access via TH 60 through a private parcel via an existing access easement. No change to access is proposed. The plat does dedicate roughly 1 acre of ROW to TH 60 that is currently encumbered with a roadway easement per MNDOT ROW Plat No. 66-42.

8. Grading, Drainage and Erosion Control. The development is located within the Straight River (M-048-026) district as identified in the City's 2022 Surface Water Management Plan. Stormwater runoff generated within the site is proposed to be routed to the new Riverchase Regional Stormwater Basin (to be constructed in 2024) and then ultimately discharged to the Straight River.

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 have been 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 propose to disturb 3.29 acres which include the addition of an estimated 1.47 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 have been incorporated into the final design of the Riverchase Regional Stormwater 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.

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.

9. Utilities and Easements. The existing site will be served by City water and sewer from services extended into the site from existing mains located within easements in the adjacent site. Existing utilities have sufficient capacity to serve the proposed development.

10. Phasing and Development Schedule. Presuming the City Council approves the preliminary and final plats concurrently, the Applicant and City will enter into a Development Agreement that will address the details, responsibilities, and costs associated with the proposed subdivision. The Applicant intends to construct the park in 2024.

Final Plat

1. Final Plat Requirements. The proposed final plat is consistent with the preliminary plat.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed applications on December 19, 2023, and recommended conditional approval. The Applicant revised the preliminary plat to address the DRC's conditions of approval. Consequently, the DRC is recommending approval of the proposed preliminary plat.

Public Comment. The City Planner received no public comment prior to publishing this report.

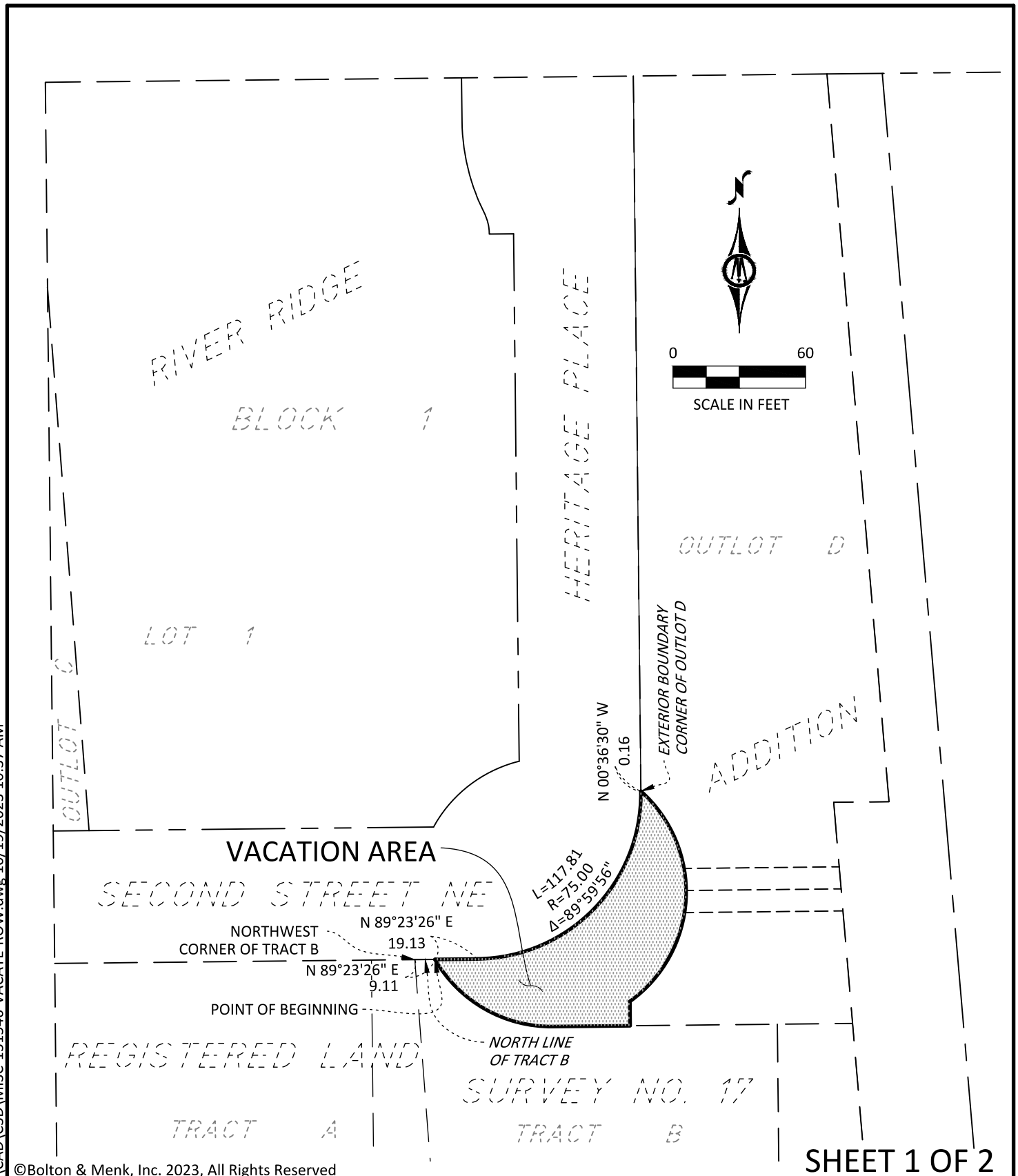
Criteria and findings for approving the PUD amendment, right-of-way vacation, and plats are found in the attached draft ordinances and resolutions.

Recommendation:

The DRC, City Engineer, and City Planner recommend approval of River Ridge Fourth Addition to City Council based on the findings and conditions in the attached draft resolutions and ordinances.

Attachments:

- Right-of-way Vacation Area
- Preliminary Plat
- Final Plat



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SHEET 1 OF 2

EXHIBIT OF VACATION
FARIBAULT, MINNESOTA

SECOND STREET NORTHEAST & HERITAGE PLACE
RIVER RIDGE ADDITION, RICE COUNTY, MINNESOTA

FOR: CITY OF FARIBAULT

BOLTON & MENK
1960 PREMIER DRIVE
MANKATO, MN 56001
(507) 625-4171

JOB NUMBER: 0M3.131546 FIELD BOOK: DRAWN BY: JPB

H:\FAR\0M3131546\CAD\C3D\MISC-131546-VACATE-ROW.dwg 10/19/2023 10:37 AM

14-S31-110-020

VACATION AREA

That part of Second Street N.E. and Heritage Place right of ways as dedicated on River Ridge Addition according to the recorded plat thereof, lying east of the following described line:

Commencing at the northwest corner of Tract B, Registered Land Survey No. 17; thence North 89 degrees 23 minutes 26 seconds East, along the north line of said Tract B, a distance of 9.11 feet to the point of beginning of the line to be described; thence continuing North 89 degrees 23 minutes 26 seconds East, a distance of 19.13 feet; thence northerly 117.81 feet along a tangential curve concave to the northwest, having a radius of 75.00 feet, and a central angle of 89 degrees 59 minutes 56 seconds; thence North 00 degrees 36 minutes 30 seconds West, tangent to said curve, a distance of 0.16 feet to an exterior boundary corner of Outlot D, River Ridge Addition, said line there terminating.

SURVEYOR'S CERTIFICATION

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.

_____ 10/XX/2023

Janele Fowlds — Date

License Number 26748

SHEET 2 OF 2

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EXHIBIT OF VACATION
FARIBAULT, MINNESOTA

BOLTON & MENK
1960 PREMIER DRIVE
MANKATO, MN 56001
(507) 625-4171

SECOND STREET NORTHEAST & HERITAGE PLACE
RIVER RIDGE ADDITION, RICE COUNTY, MINNESOTA

FOR: CITY OF FARIBAULT

JOB NUMBER: 0M3.131546 FIELD BOOK: DRAWN BY: JPB

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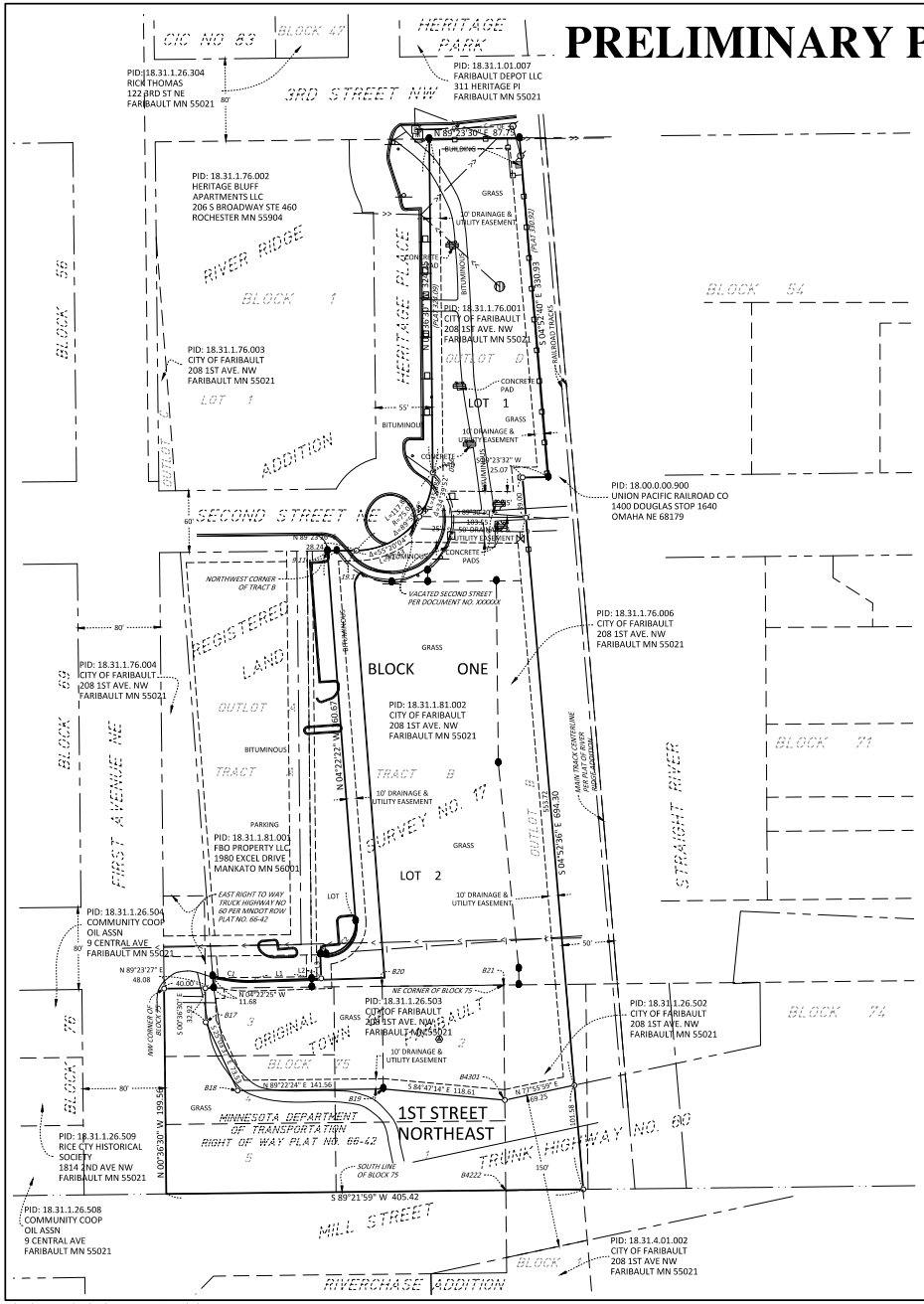
14-S31-110-020

PRELIMINARY PLAT OF RIVER RIDGE 4TH ADDITION



LEGAL DESCRIPTION

Outlot B and Outlot D, RIVER RIDGE ADDITION, Rice County, Minnesota;

AND

Tract B, REGISTERED LAND SURVEY NO. 17, Rice County, Minnesota;

AND

Lots 1-5, Block 75, ORIGINAL TOWN OF FARIBAULT, Rice County, Minnesota;

AND

That part of part of former Water Street and that part of Block 74 in the Original Town of Faribault west of a line 50 west of and parallel with the centerline of Grantor's mainline track as it is presently located;

AND

That part of Second Street N.E. and Heritage Place right of ways as dedicated on River Ridge Addition according to the recorded plat thereof, lying east of the following described line:
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SITE DATA

Outlot B and Outlot D, River Ridge Addition, Tract B, Registered Land Survey No. 17, Block 75, Original Town Plat of Faribault is zoned as Central Business District under Commercial Districts.
All adjoining properties are zoned as C.B.D.(Central Business District). The proposed River Ridge 4th Addition is to be zoned as Park.

Commercial District Lot Requirements and Setbacks. Unless otherwise provided in this Chapter, each development in the Central Business District shall be subject to the following minimum requirements.

A.	Lot Area	None
B.	Lot Width (Interior)	None
C.	Front Yard	None
D.	Side Yard	None
E.	Side Yard (Abutting residential district)	10 feet
F.	Corner Side	None
G.	Rear Yard	10 feet
H.	Maximum Height	42 feet
G.	Maximum Lot Coverage	None

SURVEYORS NOTE

River Ridge Addition PUD does impact this property. The intent is this will be removed prior to final plat being recorded.

LINE	BEARING	DISTANCE
L1	N 88°01'10" E	58.47
L2	N 88°11'47" E	9.21
L3	N 01°48'13" W	23.48
L4	N 88°00'00" E	5.42

CURVE	DELTA	RADIUS	LENGTH	CH. BEARING	CHORD
C1	15°31'48"	140.96	38.21	S 83°06'56" E	38.09
C2	92°23'04"	30.00	48.37	N 41°48'49" E	43.30

OWNERSHIP INFORMATION

City of Faribault, a municipal corporation
under the laws of the State of Minnesota

LOT AREAS

Lot 1	36,581 SQ. FT.
Lot 2	125,245 SQ. FT.
ROW	43,980 SQ. FT.
TOTAL	205,806 SQ. FT.

SURVEYOR'S CERTIFICATION

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.

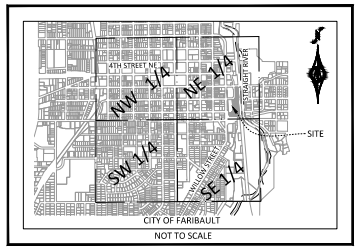
Janice Fowlds
License Number 26748

12/21/2023
Date

0 60 120
SCALE IN FEET

Horizontal Datum: NAD83 (2011 Adj.)
Rice County Coordinate System

SEC. 31-110-20



NOT TO SCALE

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 26748
- MONUMENT FOUND
- BENCH MARK
- BASKETBALL POST
- BENCH
- BUSH
- CATCH BASIN
- FIRE HYDRANT
- FLAG POLE
- FLARED END / APRON
- GUY WIRE ANCHOR
- HANDICAP PARKING
- LIGHT POLE
- MANHOLE-SANITARY SEWER
- MANHOLE-STORM SEWER
- METER
- PEDESTAL-COMMUNICATION
- PEDESTAL-ELECTRIC
- POLE-UTILITY
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- SIREN
- TREE-CONIFEROUS
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- VALVE
- COMMUNICATION UNDERGROUND
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- SANITARY SEWER
- SANITARY FORCEMAIN
- STORM SEWER
- WATER SYSTEM
- FENCE
- CURB & GUTTER
- ADJACENT
- EASEMENT
- RIGHT OF WAY
- QUARTER LINE
- SECTION LINE

SHEET 1 OF 2 SHEETS

THIS PLAT PREPARED BY BOLTON & MENK, INC.

PRELIMINARY PLAT OF RIVER RIDGE 4TH ADDITION

0 60 120
SCALE IN FEET

Horizontal Datum: NAD83 (2011 Adj.)
Rice County Coordinate System

LEGAL DESCRIPTION

Outlot B and Outlot D, RIVER RIDGE ADDITION, Rice County, Minnesota;

AND

Tract B, REGISTERED LAND SURVEY NO. 17, Rice County, Minnesota;

AND

Lots 1-5, Block 75, ORIGINAL TOWN OF FARIBAULT, Rice County, Minnesota;

AND

That part of part of former Water Street and that part of Block 74 in the Original Town of Faribault west of a line 50 west of and parallel with the centerline of Grantor's mainline track as it is presently located;

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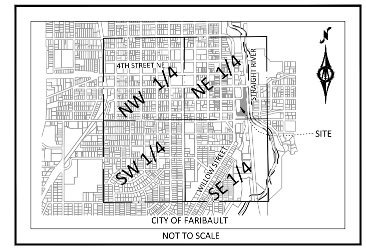
SEC. 31-110-20



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Commercial District Lot Requirements and Setbacks. Unless otherwise provided in this Chapter, each development in the Central Business District shall be subject to the following minimum requirements.

A.	Lot Area	None
B.	Lot Width (Interior)	None
C.	Front Yard	None
D.	Side Yard	None
E.	Side Yard (Abutting residential district)	10 feet
F.	Corner Side	None
G.	Rear Yard	10 feet
H.	Maximum Height	42 feet
G.	Maximum Lot Coverage	None

SURVEYORS NOTE

River Ridge Addition PUD does impact this property. The intent is this will be removed prior to final plat being recorded.

LINE	BEARING	DISTANCE
L1	N 88°01'10" E	58.47
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OWNERSHIP INFORMATION

City of Faribault, a municipal corporation under the laws of the State of Minnesota

LOT AREAS

Lot 1	36,581 SQ. FT.
Lot 2	125,245 SQ. FT.
ROW	43,980 SQ. FT.
TOTAL	205,806 SQ. FT.

LEGEND

- 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 26748
- MONUMENT FOUND
- BENCH MARK
- BASKETBALL POST
- BENCH
- BUSH
- CATCH BASIN
- FIRE HYDRANT
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- STORM SEWER
- WATER SYSTEM
- FENCE
- CURB & GUTTER
- ADJACENT
- EASEMENT
- RIGHT OF WAY
- QUARTER LINE
- SECTION LINE

SURVEYOR'S CERTIFICATION

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.

Jaynle Fowlds 12/21/2023
Jaynle Fowlds Date
License Number 26748

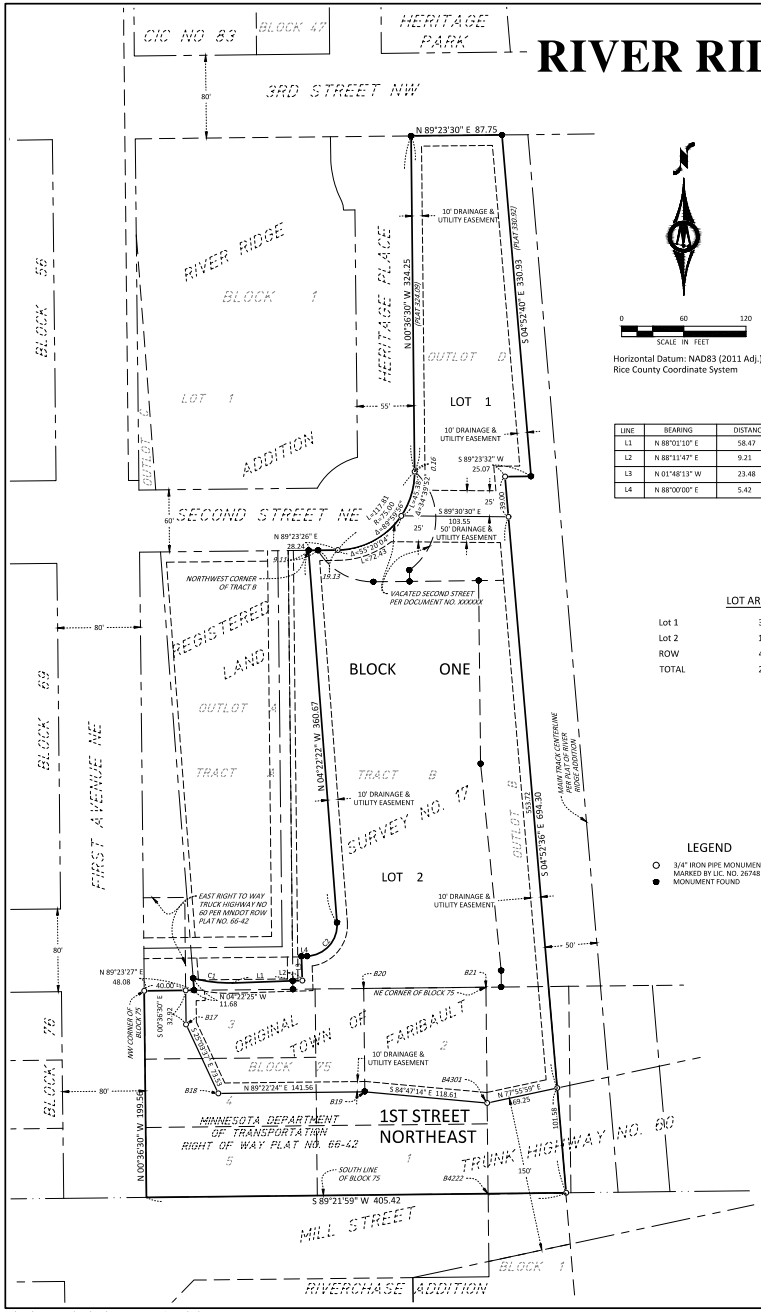
AERIAL PHOTO

The imagery in this photo is from Rice County, and taken in 2023.

SHEET 2 OF 2 SHEETS

THIS PLAT PREPARED BY BOLTON & MENK, INC.

RIVER RIDGE 4TH ADDITION



Horizontal Datum: NAD83 (2011 Adj.)
Rice County Coordinate System

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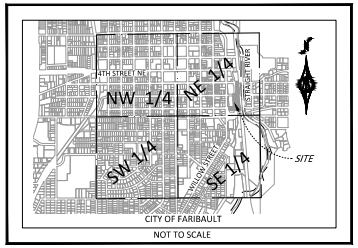

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LOT AREAS

Lot 1	36,581 SQ. FT.
Lot 2	125,245 SQ. FT.
ROW	43,980 SQ. FT.
TOTAL	205,806 SQ. FT.

LEGEND
- ○ 3/4" IRON PIPE MONUMENT SET MARKED BY LIC. NO. 26748
- ● MONUMENT FOUND

INSTRUMENT OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS: The City of Faribault, a municipal corporation under the laws of the State of Minnesota, owner, of the following described property situated in the City of Faribault, County of Rice, State of Minnesota, to wit:

Outlot B and Outlot D, RIVER RIDGE ADDITION, Rice County, Minnesota;

AND

Tract B, REGISTERED LAND SURVEY NO. 17, Rice County, Minnesota;

AND

Lots 1-5, Block 75, ORIGINAL TOWN OF FARIBAULT, Rice County, Minnesota;

AND

That part of part of former Water Street and that part of Block 74 in the Original Town of Faribault west of a line 50 west of and parallel with the centerline of Grantor's mainline track as it is presently located;

AND

That part of Second Street N.E. and Heritage Place right of ways as dedicated on River Ridge Addition according to the recorded plat thereof, lying east of the following described line: Commencing at the northwest corner of Tract B, Registered Land Survey No. 17; thence North 89 degrees 23 minutes 26 seconds East, along the north line of said Tract B, a distance of 9.11 feet to the point of beginning of the line to be described; thence continuing North 89 degrees 23 minutes 26 seconds East, a distance of 19.13 feet; thence northerly 117.81 feet along a tangential curve concave to the northwest, having a radius of 75.00 feet, and a central angle of 89 degrees 59 minutes 56 seconds; thence North 00 degrees 36 minutes 30 seconds West, tangent to said curve, a distance of 0.16 feet to an exterior boundary corner of Outlot D, River Ridge Addition, said line there terminating.

Have caused the same to be surveyed and platted as RIVER RIDGE 4TH ADDITION and do hereby donate and dedicate to the public for public use forever the streets, and also dedicating the easements as shown on this plat for drainage and utility purposes only.

In witness whereof said City of Faribault, a municipal corporation under the laws of the State of Minnesota, has caused these presents to be signed by its proper officers this _____ day of _____, 2024.

_____ Kevin Voracek, Mayor

_____ Administrator

SURVEYORS CERTIFICATE

I, Janele Fowlds, Registered Land Surveyor, certify that I have surveyed and platted the property described in this plat as RIVER RIDGE 4TH ADDITION, that this plat is a correct representation of the survey, that all distances are correctly shown on the plat in feet and hundredths of a foot, that all monuments have been correctly placed in the ground as shown or will be placed in the ground as designated; that the outside boundary lines are correctly designated on the plat; and that there are no wetlands as defined in MS 505.02, Subd. 1, or public highways to be designated other than shown on the plat.

_____
Janele Fowlds, Land Surveyor
Minnesota License No. 26748

NOTARY'S CERTIFICATE

State of Minnesota
County of Blue Earth
The foregoing Surveyor's Certificate was acknowledged before me this _____ day of _____, 2024, by Janele Fowlds, Land Surveyor, Minnesota License No. 26748.

_____
Nate Myhra
Notary Public
My commission expires 1-31-2025.

REVIEW

Be it known that on this _____ day of _____, 2024, the Planning and Zoning Commission of the City of Fairbault, Minnesota, did duly approve this plat.

_____
Chairman

APPROVALS

Be it known that on this _____ day of _____, 2024 the City Council of the City of Fairbault, Minnesota, did duly approve this plat of RIVER RIDGE 4TH ADDITION, and is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

_____ Kevin Voracek, Mayor

_____ Administrator

RICE COUNTY SURVEYOR

Pursuant to Chapter 7, Minnesota Laws of 1976, this plat has been approved this _____ day of _____, 2024.

_____
Mike Fangman, LS
Rice County Surveyor

RICE COUNTY AUDITOR/ TREASURER

I hereby certify that the current and delinquent taxes on the lands described within are paid and the transfer is entered this _____ day of _____, 2024.

_____ Rice County Auditor

_____ Rice County Treasurer

_____
Deputy

RICE COUNTY REGISTRAR OF TITLES

I hereby certify that this instrument was filed in the office of the Registrar of Titles or record on this _____ day of _____, 2024, at _____ o'clock ___.m. and duly recorded as Document No. _____.

_____
Rice County Registrar of Titles

RICE COUNTY RECORDER

I hereby certify that this plat was filed in this office this _____ day of _____, 2024, at _____ o'clock ___.m. as Document No. _____.

_____
Mike Fangman, LS
Rice County Recorder

THIS PLAT PREPARED BY BOLTON & MENK, INC.

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	Draft Ordinance Repealing Planned Unit Development Ordinances Associated with River Ridge Addition Plats

Background:
See Staff Report

Recommendation:
See Draft Ordinance

Attachments:
1. Draft Ordinance Repealing Planned Unit Development Ordinances Associated with River Ridge Addition Plats

_____

(Space Reserved for Recording)

CITY OF FARIBAULT
ORDINANCE No. 2024-XXX

REPEAL PLANNED UNIT DEVELOPMENT ORDINANCES ASSOCIATED WITH RIVER RIDGE, RIVER RIDGE 2ND ADDITION, AND RIVER RIDGE 3RD ADDITION PLATS

WHEREAS, the City of Faribault (the "Applicant") requests that the City Council repeal the following planned unit development (PUD) ordinances related to River Ridge, River Ridge 2nd Addition, and River Ridge 3rd Addition plats (the "Property"):

- City of Faribault Ordinance 2000-14, recorded as Rice County document _____;
- City of Faribault Ordinance 2005-12, recorded as Rice County document _____;
- City of Faribault Ordinance 2005-27, recorded as Rice County document _____;
- City of Faribault Ordinance 2006-10, recorded as Rice County document _____; and
- City of Faribault Ordinance 2011-17, recorded as Rice County document _____; and

WHEREAS, City Staff reviewed the application and made a report to the Planning Commission; and

WHEREAS, the Planning Commission, on January 2, 2024, 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 Applicant's request to repeal the PUD ordinances associated with the Property, per the following findings as required for any zoning amendment 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 a mix of downtown and parkland uses. Repealing the PUD ordinances would allow for development consistent with the underlying zoning districts and 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: Repealing the PUD ordinances benefits the public by removing restrictions imposed by the PUD and allowing for a new public park downtown. The proposed action would allow the City to develop a vacant lot to its highest and best use consistent with the comprehensive plan. In addition, the downtown would benefit from the investment and public attention, thereby improve the City property tax base. The proposed action is not for the sole benefit of any single 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: Repealing the PUD ordinances will not create incompatibilities in the general area.

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 current PUD overlay neither includes nor provides provisions for a park. However, the underlying CBD District does not

preclude park development in the area consistent with the comprehensive plan.

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 current PUD overlay intends for a commercial strip center in the area. Proposing a park would be incompatible with the PUD overlay, but the PUD does not reflect current conditions of the area. Only two lots of the original PUD are developed, and one was developed prior to adopting the PUD. The remaining property within the PUD must change to adapt to new needs, including a park in the downtown area.

WHEREAS, the City Council conducted the first reading of this ordinance on XXXX XX, 2024, and the second reading of this ordinance on XXXX XX, 2024; 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.

WHEREAS, pursuant to the City of Faribault Unified Development Ordinance, Chapter 14, Article 1, the City Council, with a two-thirds vote of its members, holds final decision authority on all planned unit development applications; and

WHEREAS, pursuant to Minn. Stat. § 462.357, the City Council may by ordinance amend the zoning ordinance and zoning district boundaries, as depicted on an adopted zoning map; and

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. Repeal of the PUD Ordinances. The City Council hereby repeals the River Ridge PUD Overlay District, described by Ordinance and Rice County document numbers in the first recital of this Ordinance.

Section 3. 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 4. Effective Date. This ordinance shall be effective immediately upon its passage and publication according to the Faribault City Charter.

First Reading: XXXX XX, 2024

Second Reading: XXXX XX, 2024

Publication Date: XXXX XX, 2024

Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	Draft Ordinance Vacating a Portion of the Right-of-way at the Intersection of 2nd Street NE and Heritage Place

Background:
See Staff Report

Recommendation:
See Draft Ordinance

Attachments:
1. Draft Ordinance Vacating a Portion of the Right-of-way at the Intersection of 2nd Street NE and Heritage Place

_____

(Space Reserved for Recording)

CITY OF FARIBAULT
ORDINANCE No. 2024-XXX

VACATE A PORTION OF THE RIGHT-OF-WAY AT THE INTERSECTION OF 2ND STREET NE AND HERITAGE PLACE

WHEREAS, the City of Faribault, (the "Applicant") requests vacating a portion of the public right-of-way at the corner of 2nd Street NE and Heritage Place, depicted in Exhibit A and legally described as follows:

> That part of Second Street N.E. and Heritage Place right of ways as dedicated on River Ridge Addition according to the recorded plat thereof, lying east of the following described line:
>
> Commencing at the northwest corner of Tract B, Registered Land Survey No. 17; thence North 89 degrees 23 minutes 26 seconds East, along the north line of said Tract B, a distance of 9.11 feet to the point of beginning of the line to be described; thence continuing North 89 degrees 23 minutes 26 seconds East, a distance of 19.13 feet; thence northerly 117.81 feet along a tangential curve concave to the northwest, having a radius of 75.00 feet, and a central angle of 89 degrees 59 minutes 56 seconds; thence North 00 degrees 36 minutes 30 seconds West, tangent to said curve, a distance of 0.16 feet to an exterior boundary corner of Outlot D, River Ridge Addition, said line there terminating.

WHEREAS, City Staff reviewed the application and made a report to the Planning Commission; and

WHEREAS, the Planning Commission, on January 2, 2023, following proper notice, held a public hearing regarding the Applicant's request; 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 Applicant's request per the following findings as required by Section 2-540 of the City's Unified Development Ordinance:

1. **Criteria: No private rights will be injured or endangered as a result of the vacation.**

   Finding: Part of the proposed right-of-way vacation is adjacent to a a shared drive. However,, an existing access easement will guarantee continued use of the shared drive. No private rights will be injured or endangered due to the vacation.

2. **Criteria: The public will not suffer loss or inconvenience resulting from the granting of the requested vacation.**

   Finding: The proposed vacation will not impose on the public a loss or inconvenience resulting from the granting of the requested vacation.

3. **Criteria: No written objection has been received, prior to the public hearing, from an adjacent property owner who did not join in the application.**

   Finding: The City received no written objections to the proposed vacation before the public hearing..

WHEREAS, the City Council conducted the first reading of this ordinance on XXXX XX, 2024, and the second reading of this ordinance on XXXX XX, 2024; and

WHEREAS, based on the 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. Vacation of a Portion of Right-of-Way. Pursuant to City of Faribault Unified Development Ordinance, Chapter 2, Article 10 and Minn. Stat. § 412.851, the City of Faribault hereby vacates the public right-of-way situated in the City of Faribault, County of Rice, State of Minnesota, legally described above and depicted in Exhibit A.

Section 3. 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 4. Effective Date. This ordinance shall be effective immediately upon its passage and publication according to the Faribault City Charter.

First Reading: XXXX XX, 2024

Second Reading: XXXX XX, 2024

Publication Date: XXXX XX, 2024

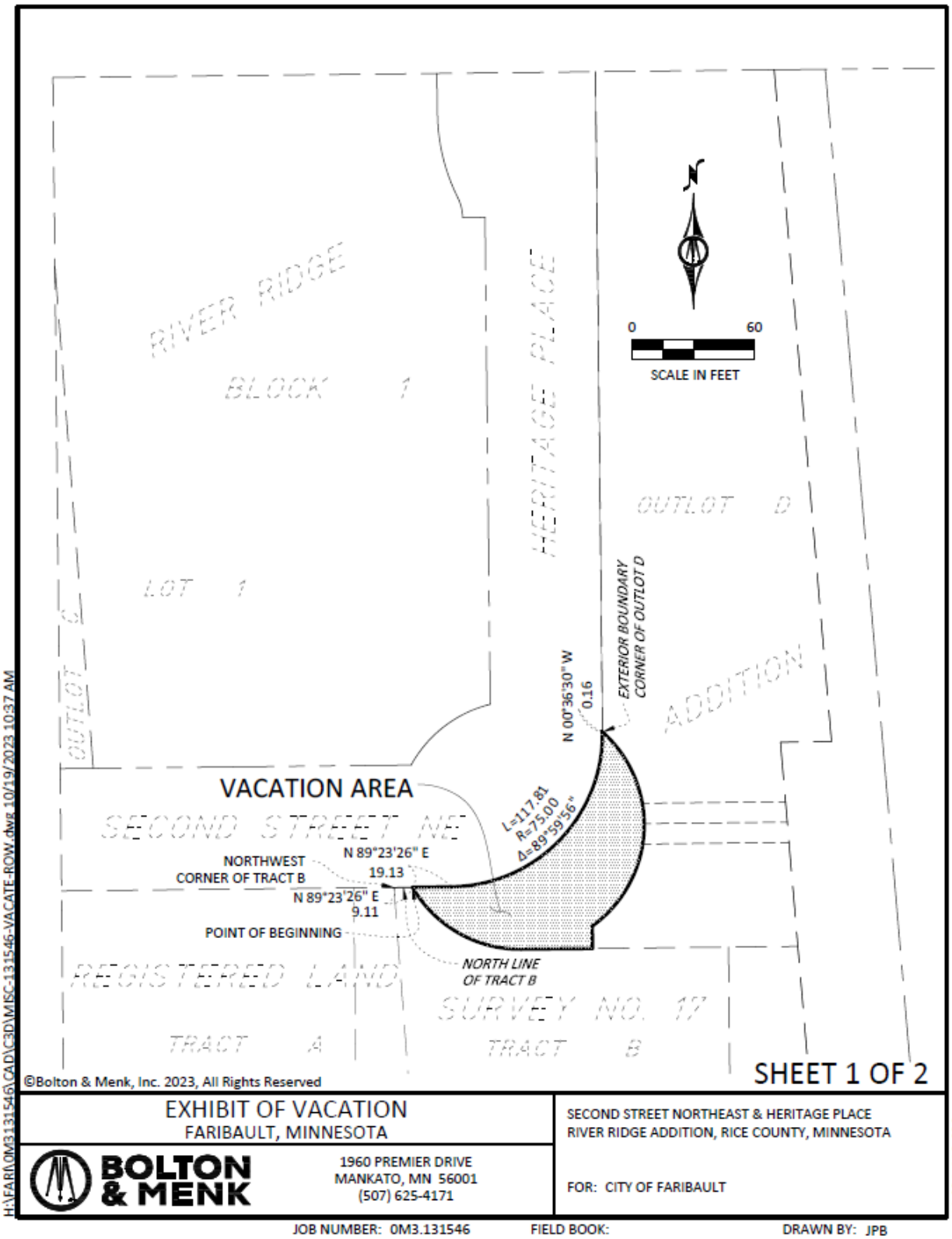
Faribault City Council

_____
Kevin F. Voracek, Mayor

ATTEST:

_____
Timothy C. Murray, City Administrator

Exhibit A
Right-of-way Vacation Area



REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	Draft Resolution Approving the Preliminary and Final Plats for River Ridge Fourth Addition

Background:
See Staff Report

Recommendation:
See Draft Resolution

Attachments:
1. Draft Resolution Approving the Preliminary and Final Plats for River Ridge Fourth Addition

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2024- XXX

APPROVE THE PRELIMINARY AND FINAL PLATS FOR RIVER RIDGE FOURTH ADDITION NEAR THE INTERSECTION OF 2ND ST NE AND HERITAGE PLACE

WHEREAS, the City of Faribault (the "Applicant" or "Owner") requests preliminary and final plat approval plat for two parkland lots near the intersection of 2nd Street NE and Heritage Place, and legally described in Exhibit A; and

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

WHEREAS, the Planning Commission, on January 2, 2024, 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 XXXX XX, 2024, 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 River Ridge 4th Addition as depicted on Exhibit B, 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 UDO requirements within the CBD commercial zoning district and subdivision platting requirements.

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 downtown and parkland uses. The proposed parkland 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 new parkwithin the downtown area, based on sound planning and engineering principles.

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 preliminary plat lots are consistent with the provisions of the City's Unified Development Ordinance.

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 River Ridge 4th Addition as depicted on Exhibit C, subject to certain 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 Owner concurrently applied for the final plat approval with the preliminary plat. The final plat conforms to the preliminary plat as required.

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 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 plat for River Ridge 4th Addition are hereby approved, subject to the following conditions:

1. Approval of the preliminary and final plats is contingent on the associated right-of-way vacation. Failure to receive approval on the associated right-of-way vacation will void approval of the plats.

Date Adopted: XXXX XX, 2023

Faribault City Council

_____

Kevin F. Voracek, Mayor

ATTEST:

_____

Timothy C. Murray, City Administrator

Exhibit A
Legal Description

Outlot B and Outlot D, RIVER RIDGE ADDITION, Rice County, Minnesota;

AND

Tract B, REGISTERED LAND SURVEY NO. 17, Rice County, Minnesota;

AND

Lots 1-5, Block 75, ORIGINAL TOWN OF FARIBAULT, Rice County, Minnesota;

AND

That part of part of former Water Street and that part of Block 74 in the Original Town of Faribault west of a line 50 west of and parallel with the centerline of Grantor's mainline track as it is presently located;

AND

That part of Second Street N.E. and Heritage Place right of ways as dedicated on River Ridge Addition according to the recorded plat thereof, lying east of the following described line:

Commencing at the northwest corner of Tract B, Registered Land Survey No. 17; thence North 89 degrees 23 minutes 26 seconds East, along the north line of said Tract B, a distance of 9.11 feet to the point of beginning of the line to be described; thence continuing North 89 degrees 23 minutes 26 seconds East, a distance of 19.13 feet; thence northerly 117.81 feet along a tangential curve concave to the northwest, having a radius of 75.00 feet, and a central angle of 89 degrees 59 minutes 56 seconds; thence North 00 degrees 36 minutes 30 seconds West, tangent to said curve, a distance of 0.16 feet to an exterior boundary corner of Outlot D, River Ridge Addition, said line there terminating.

Exhibit B
Depiction of the Preliminary Plat

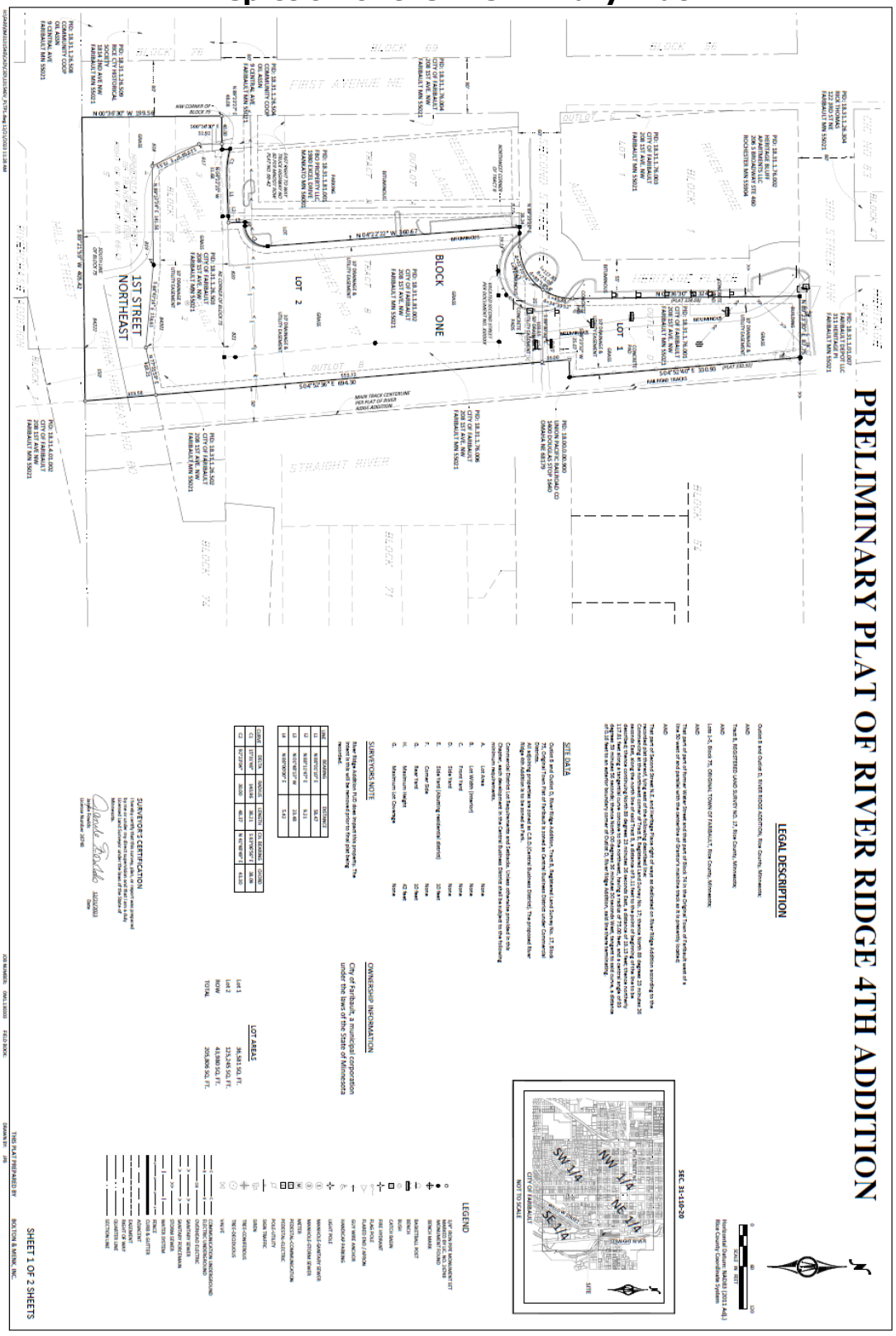
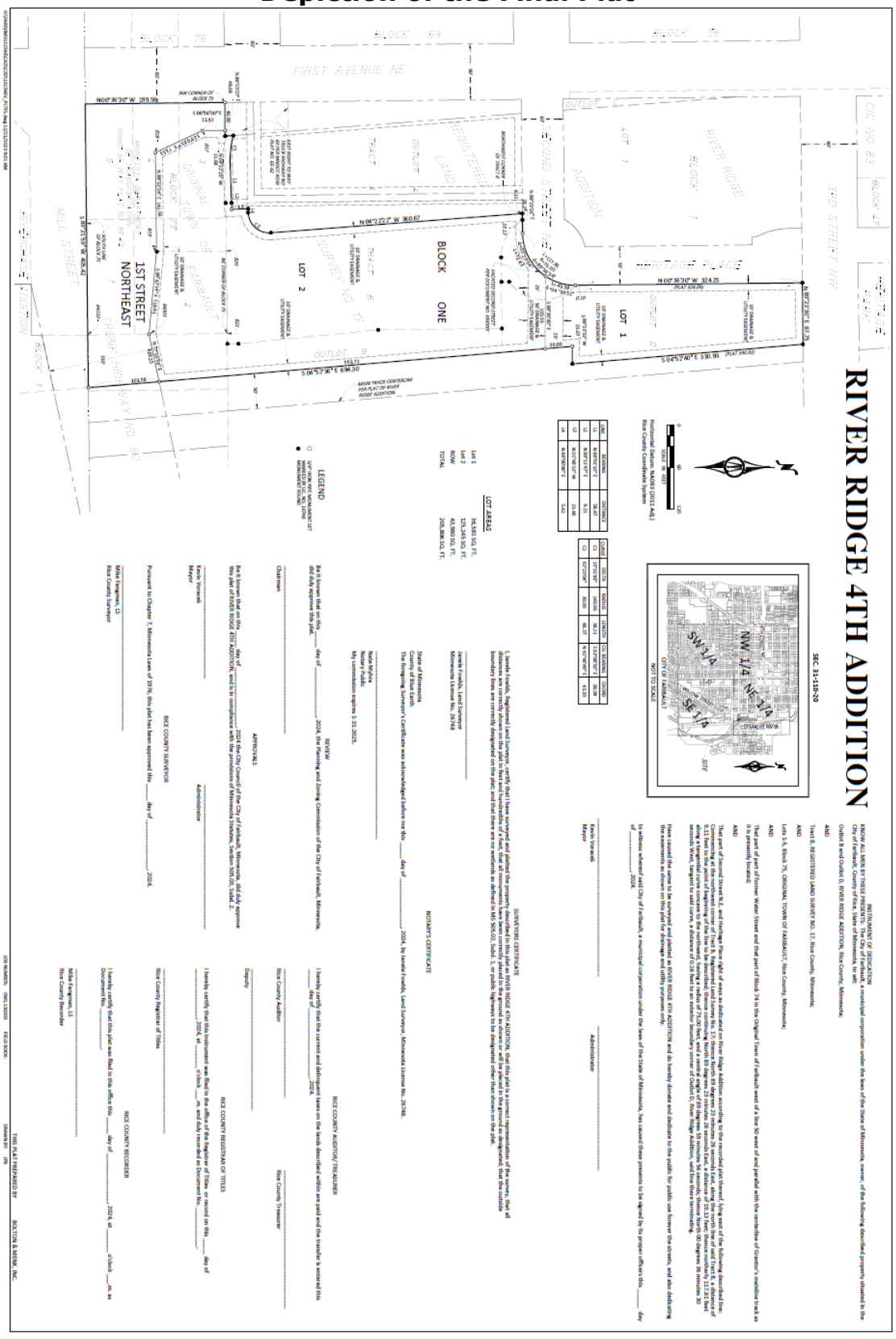


Exhibit C
Depiction of the Final Plat



REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	
FROM:	
MEETING DATE:	January 2, 2024
SUBJECT:	Board & Commissions Updates & Reports

Background:

Recommendation:

Attachments:

REQUEST FOR PLANNING COMMISSION ACTION

TO:	Planning Commission
THROUGH:	David Wanberg, Community & Economic Development Director
FROM:	Harry Davis, City Planner
MEETING DATE:	January 2, 2024
SUBJECT:	General Commissioner and Staff Updates

Background:
This agenda item provides space for staff or commissioner updates.

Recommendation:
No action needed.

Attachments: