



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

TUESDAY, SEPTEMBER 3,
2024

6:00 PM

1. Call to Order
2. Approval of the Minutes
3. Public Hearings
 - A. Resolution 2024-XXX Adopt the TH 60 West Master Plan
 - B. Resolution 2024-XXX Deny Variance at 15 3rd Ave SW
 - C. City of Faribault/JNJ Properties - Comprehensive Plan Amendment; Zoning Map Amendment
 - 1 Resolution 2024-XXX Approve a Comprehensive Plan Amendment to Guide Certain Properties in 500 and 400 Blocks of 20th St NW
 - 2 Ordinance 2024-XX Approve a Zoning Map Amendment in 500 and 400 Blocks of 20th Street NW
 - D. Ordinance 2024-XX Vacate a Portion of Drainage and Utility Easement at 2343 14th St NE
 - E. Ordinance 2024-XX Approve Zoning Map Amendments for 818 8th Ave NW and 214 14th St NE
4. Requests to be Heard
5. Items for Discussion
 - A. Commissioner Delgado - Planning Commission By-laws, Section 12. Attendance
 - B. General Planning & Zoning Updates
6. Routine Business
7. Board & Commissions Updates & Reports
8. Adjournment

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

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a accessibility@faribault.org.

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PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

MONDAY, AUGUST 19, 2024

6:00 PM

Meeting Items

1. Call to Order

A regular meeting of the Planning Commission was called to order by Chair Chuck Ackman at 6:00 p.m. Members in attendance were Samantha Green, Barton Jackson, Edward Migilio, Michael Salt, Steven White, and Chair Ackman. Harry Davis, City Planner, was also in attendance.

2. Approval of the Minutes

The motion was made by Samantha Green, seconded by Edward Miglio, to approve the meeting minutes of July 15, 2024, as presented. The motion passed unanimously.

3. Public Hearings

A. Rice County/Emergency Access Road and Boat Ramp - Conditional Use Permit/Variance

Harry Davis did not have much to update and asked that the matter be continued until the next meeting in anticipation of additional submittals by the applicants. Discussions are continuing. No members of the public were present. Motion by Steven White, seconded by Edward Miglio to continue the public hearing to the next meeting as presented. The motion passed unanimously.

1 Resolution 2024-XXX Approve a Conditional Use Permit for an Emergency Access Road and Boat Ramp in the Wild and Scenic River Overlay near 50 East View Drive

2 Resolution 2024-XXX Approve Variance(s) Associated with an Emergency Access Road and Boat Ramp in the Wild and Scenic River Overlay near 50 East View Drive

4. Requests to be Heard

None.

5. Items for Discussion

A. General Planning & Zoning Updates

There will be five items at the next meeting for public hearing; six if you count the one from Rice County. The next meeting is Tuesday, September 3rd.

6. Routine Business

7. Board & Commissions Updates & Reports

8. Adjournment

Michael Salt, seconded by Edward Miglio, made a motion to adjourn at 6:05 p.m. The motion passed unanimously.

By: _____
Kari Casper, Recording Secretary

(Minutes created by watching the YouTube video).



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, Community and Economic Development Director
FROM: David Wanberg, Community and Economic Development Director
MEETING DATE: September 3, 2024
SUBJECT: Resolution 2024-XXX Adopt the TH 60 West Master Plan

Background:

The TH 60 West area includes a largely undeveloped gateway into Faribault that the City's Journey to 2040 Comprehensive Plan guides for a mix of commercial and residential uses north of TH 60 West and a mix of commercial and industrial uses south of TH 60 West. The City extended municipal utilities to this area with the expectation of big-box commercial development. However, that development did not occur, and the area has remained mostly undeveloped.

Recently, landowners and developers have expressed renewed interest in developing the area, but they have requested additional guidance regarding the City's vision for the area. The Faribault Economic Development Authority (the "EDA") and Xcel Energy provided funding to hire a consultant to assist the City in creating a master plan to help promote development in the area. A master plan is an aspirational document intended to help inspire and guide future development. It does not dictate nor regulate land use.

The master plan consultant conducted an inventory and analysis of the area, which included meetings with major property owners to learn their vision for the area. The Faribault Planning Commission, City Council, EDA, and major property owners reviewed concept plans for the area and expressed general support for the concept plans. Based on their feedback, the consultant completed a draft of the TH 60 West Master Plan (see the attached plan), and the City noticed a public hearing to solicit public input on the master plan.

Again, it is important to note the TH 60 West Master Plan is an aspirational

document intended to help promote development in a manner consistent with the City's Comprehensive Plan. The Plan does not dictate or regulate land use. Property owners can work with developers to submit different development plans for City review and action.

City Staff recommends the City adopt the TH 60 West Master Plan. However, the Planning Commission should open the public hearing and receive public input on the master plan. The Planning Commission can recommend that the City Council approve the attached resolution adopting the TH 60 West Master Plan, or the Commission can provide direction to revise the Plan and continue the meeting for review and action at an upcoming Planning Commission.

Recommendation:

Recommend that the City Council approve the attached resolution adopting the TH 60 West Master Plan.

Attachments:

1. Resolution 2024-XXX Adopt the TH 60 West Master Plan
2. TH 60 West Master Plan

CITY OF FARIBAULT

RESOLUTION #2024-XXX

ADOPT THE TH 60 WEST MASTER PLAN

WHEREAS, the TH 60 West area is a largely undeveloped gateway into Faribault (generally shown in Exhibit A) that the City's Journey to 2040 Comprehensive Plan guides for a mix of commercial and residential uses north of TH 60 West and a mix of commercial and industrial uses south of TH 60 West; and

WHEREAS, the City extended utilities to the TH 60 West area decades ago with the expectation that there would be significant new big-box commercial development in the area; and

WHEREAS, the area has remained largely undeveloped; and

WHEREAS, landowners and developers have expressed renewed interest in developing the area, but have requested additional guidance regarding the City's vision for the area; and

WHEREAS, the Faribault Economic Development Authority (the "EDA") and Xcel Energy provided funding to hire a consultant to assist the City in creating a master plan to help promote development in the area; and

WHEREAS, a master plan provides an aspirational guide for future development, but it does not dictate nor regulate the use of property; and

WHEREAS, the master plan consultant conducted an inventory and analysis of the area, which included meeting with major property owners to learn their vision for the area; and

WHEREAS, the Faribault Planning Commission, City Council, EDA, and major property owners reviewed concept plans of the area and expressed general support for the concept plans; and

WHEREAS, based on feedback from the property owners and the City, the master plan consultant completed a draft of the TH 60 West Master Plan, which is on file with the City and available for public review in person or on the City's website; and

WHEREAS, City Staff properly noticed a September 3, 2024, public hearing to consider the City's adoption of the TH 60 West Master Plan; and

WHEREAS, City Staff sent the public hearing notice to all property owners and all adjacent property owners within 350 feet of the master plan study area, and

WHEREAS, City Staff also sent the public hearing notice to Rice County, Warsaw Township, Wells Township, the Minnesota Department of Transportation, and the Minnesota Department of Natural Resources; and

WHEREAS, City Staff made a report to the Planning Commission and recommended that the City adopt the TH 60 West Master Plan based on the findings outlined in this resolution; and

WHEREAS, the Planning Commission, on September 3, 2024, following proper notice, held a public hearing to review the request, listen to public comments, and make a recommendation to the City Council regarding the TH 60 West Master Plan adoption; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council adopt the TH 60 West Master Plan based on the following written findings:

1. The review process provided adequate opportunity for public review and comment on the requested amendment; and
2. Approval of the TH 60 West Master Plan is in the best interest of the community's general health, safety, and welfare. The master plan furthers the land use plan and various goals, policies, and implementation steps for this part of Faribault and surrounding properties; and
3. The existing and future infrastructure, including sanitary sewer, water, stormwater, and transportation, associated with the TH 60 West area is suitable for commercial/residential mixed-use north of TH 60 and commercial/industrial mixed-use south of TH 60; and
4. The TH 60 West Master Plan is consistent with the City's Journey to 2040 Comprehensive Plan; and

WHEREAS, the City Council held a public meeting on _____, 2024, to consider adopting the TH 60 Master Plan; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

Section 2: Adoption of the TH 60 West Master Plan. The City Council hereby adopts the TH 60 West Master Plan on file with the City, subject to final clerical and clarifying edits.

Section 3: Authorization to Take Additional Steps. The City Council authorizes and directs the Mayor, City Staff, and City Consultants to take any additional steps and actions necessary and convenient to accomplish the intent of this resolution.

Section 4: Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: _____, 2024

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

EXHIBIT A
Graphic Depiction of TH 60 West Area



Study area bound in yellow dashed line.



**BOLTON
& MENK**

TRUNK HIGHWAY 60 MASTER PLAN

JULY 2024



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Acknowledgements

Dave Wanberg - Director, Community & Economic Development

Harry Davis - City Planner

Marc Duchene - Director of Engineering

Tim Murray - City Administrator (former)

Special thanks to Xcel Energy for financial support

An aerial photograph of a landscape, likely in a rural or semi-rural area. A large river or lake is visible on the left side, with a road or path running along its edge. In the center, there is a highway interchange with multiple lanes and ramps. To the right of the interchange, there is a large, rectangular, light-colored structure, possibly a bridge or a large building. The surrounding area is a mix of fields, trees, and some small buildings. The overall color palette is dominated by earthy tones like brown, tan, and green.

INTRODUCTION

TH 60 WEST AREA GOALS, AND PRINCIPLES

A West Side Welcome

Located on the west edge of Faribault, the study area greets incoming travelers with a natural aesthetic featuring rolling hills and pockets of dense vegetation, giving way to farmland that stretches to the bank of Wells Lake.

TH 60 bisects the area, offering access to a select few developments that have emerged over the last 50 years. The critical east-west highway also offers access from Downtown Faribault to neighboring communities as far west as the Mankato Metro.

Since 1858, the Calvary Cemetery has sat watching over the City from its elevated hilltop. The earliest development emerged in the 1970's, as the Dairy Queen, a hotel (now a Regency Inn & Suites), and Matejcek's introduced the first non-residential city development west of I-35. In the years that followed, the industrial and commercial buildings south of TH 60, including KGPCo telecommunications, emerged at the "foothill" of Calvary Cemetery and the higher areas to the south.

While some residential development has joined legacy agricultural around the edges, the study area remains largely unchanged since the early 2000's. Efforts to attract a big box or national chain store have thus far been unsuccessful, and a renewed effort is underway to vision a market-supported vision of this Faribault's western gateway.

An Eye Towards Opportunity

The future of the TH 60 West area should reflect and celebrate Faribault's many strengths, and embrace the City's aspiration of being an outstanding place to live, work, grow, invest, and visit. The city commits to embracing the future while plans for positive change through innovation and excellence.

Realizing this city-wide aspiration and commitment within this area of the part of the city requires an "eyes wide open" pragmatic understanding of place, and a willingness to think outside the box. Further, with nearly all land here privately owned, an area vision must align area property owners' interests while supporting a common good.

AREA VISION

- An active front door into Faribault where regional economic activity and new neighborhoods are woven into the natural landscape.

AREA PRINCIPLES

- Establish the area as an attractive gateway welcoming people into the city.
- Embrace site topography to create interesting places and development patterns as a means of preserving the natural landscape.
- Respect other city growth areas and compliment existing city businesses.
- Leverage multimodal connectivity offered by I-35 and the Sakatah Singing Hills State Trail.
- Provide needed housing for current and future city residents while exploring new ideas and innovation to move the needle on development expectations.
- Protect and celebrate the Calvary Cemetery and Wells Lake, ensuring public access for years to come.



Study area in context



Study area

FUTURE GROWTH AND STRATEGIC DEVELOPMENT

Faribault’s Journey to 2040 Comprehensive Plan identifies numerous strategic development areas, guiding former or underutilized sites towards Commercial/Residential mixed use infill. This is done as an effort to improve community livability, stimulate targeted reinvestment, and efficiently use existing infrastructure.

Journey to 2040 identifies staged growth areas primarily along the I-35 corridor that may accommodate industrial and commercial growth demand, benefiting from interstate adjacency. Many of these growth areas intend to accommodate desired and anticipated industrial growth, since suitable industrial land within the city limits has become scarce.

The TH 60 West area is identified both as a Strategic Development Area and Staged Growth Area. Journey 2040 suggests the area of north of TH 60 be guided for Commercial / Residential Mixed Use, and the southern portion is guided Commercial / Industrial Mixed Use. The Comprehensive Plan then envisions a broader vision that extends these uses further west and south.

The Comprehensive plan’s guidance for the study area results in competition with other named strategic development sites identified for new commercial or residential development. Sites within the city core can leverage adjacent development in attracting market interest, while the TH 60 West must simultaneously stimulate market demand and establish a sense of place.

Further north along I-35, at CSAH 9, is approximately 2,000 acres within a commercial/industrial city growth area. Rice County and Faribault are currently reviewing plans to refine land use expectations in this area and establish need and timeline for a future interchange. Both the I-35/CSAH 9 and TH 60 West growth areas are competing for similar uses.

TH 60 West’s strongest asset, compared to other areas of the city, is the adjacency of I-35 interchange creating convenient access to interstate commerce. The amount of people and goods traveling on the corridor and great visibility for adjoining properties are incredible attributes to this area’s future success. However, I-35 does limit access due to a limited amount of crossing locations, as well as technical and financial costs of creating new connections to the rest of the city.



Strategic Development Areas

FROM JOURNEY TO 2040 FARIBAULT COMPREHENSIVE PLAN

- A 28th St NW**
Commercial/Industrial Mixed Use
- B State Hwy 3**
Commercial/Residential Mixed Use
- C 7th St NW**
Downtown, Commercial/Industrial Mixed Use
- D Division St and Prairie Ave**
Commercial/Residential Mixed Use
- E Downtown**
Mixed Use, Public, Institutional
- F East Straight River**
Established Residential Neighborhood
- G State Hwy 60/First St NE**
Commercial/Residential Mixed Use
- H Willow St and Fowler St**
Downtown, Commercial/Residential Mixed Use
- I TH 60 West (study area)**
Commercial/Residential Mixed Use, Commercial/Industrial Mixed Use

COMMUNITY AND MARKET SNAPSHOT

Faribault Today

Faribault is the economic engine for the region, with more than 50% of the county’s jobs located within the city limits, and almost 40% of it’s residents calling Faribault home. While a majority of the city’s jobs are designated white collar, it holds a higher percentage of blue collar and industrial jobs compared to both Rice County and neighboring Owatonna*.

Housing affordability and unit availability are long- and short-term issues for Faribault to address. For the Faribault area, as of August 2023, there were approximately 100 homes for sale with a median listing price around \$300,000. Newly constructed homes in that group however carried a median price over \$400,000 (Source: Realtor.com), highlighting the often prohibitive cost of new construction.

At the same time, Faribault has a very limited supply of commercial and industrial properties. As of August 2023, the city had a cluster of unimproved industrial sites on the north side of town, two warehouse properties, and one small retail site on public commercial listings (Source: MNCAR).

While the city has a higher rate of poverty and lower median income than Owatonna, home values are much higher in Fariabult, and residents are about equally likely to be cost burdened. This may indicate strong borrowing potential for larger purchases such as housing.

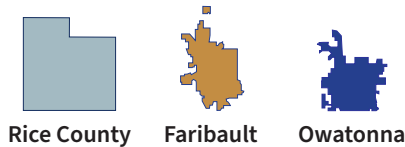
That said, Faribault’s “spending potential index”, a measure of spending related to a national average score of ‘100’ across different consumer categories, is 71, indicating a spending power below the national average.

Faribault Tomorrow

Faribault anticipates population growth at a similar rate to the County through 2030, and twice that of neighboring Owatonna. Population estimates show anticipated increases in both average age and diversity.

Southeastern Minnesota will likely see a five percent increase in jobs from 2020 to 2030. The main drivers of job growth are accommodation and food service plus arts, entertainment, and recreation.

Given the constraints in housing and shovel-ready commercial and industrial sites elsewhere in the city, TH 60 West is well-positioned to take advantage of market demand.



Residents

Total Population	67,905	24,809	26,466
Forecasted Annual 10-year Growth (2020 - 2030)	0.37%	0.47%	.11%

Households

Households	23,772	8,754	10,674
Household Size	2.55	2.57	2.44
Unit Vacancy	n/a	.5%**	5.2%

**market rate vacancy identified from 2021 Rental Housing Needs Analysis study, by Maxfield

Income and Wealth

Median Household Income	\$68,838	\$55,610	\$73,813
Median Net Worth	\$218,493	\$120,368	\$180,712
Households Below the Poverty Line	9%	14%	8.8%

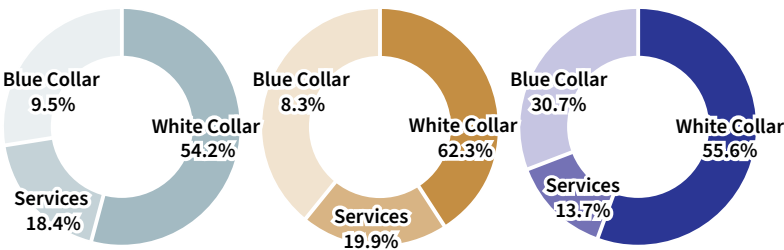
*Owatonna is located in located in Steele County, but is a comparable community to Fariabult, including its location on the I-35 Corridor

All information is 2023 estimates unless otherwise noted.

Workplace and Workforce

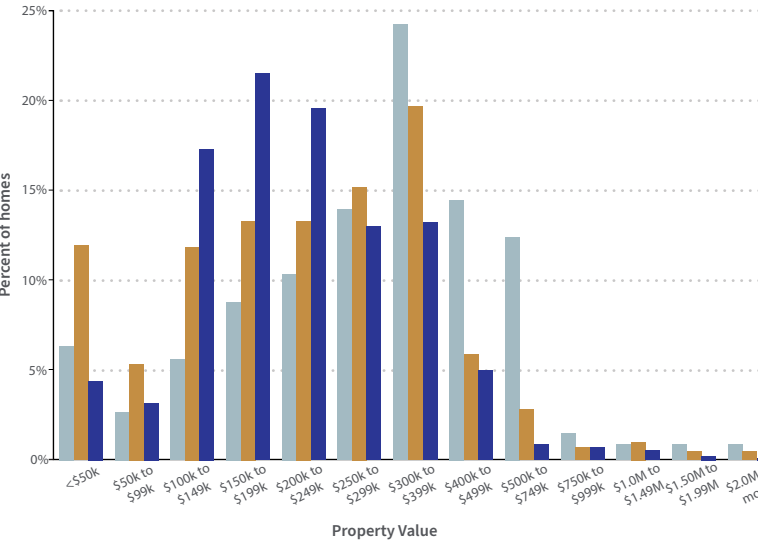
Total Businesses	2,087	870	1,110
Total Employees	28,256	15,274	22,368

Occupations and Industries



Total Employees	32,982	9,799	11,934
Agriculture/Mining	3.1%	2.3%	1.8%
Construction	7.6%	7.4%	6.2%
Manufacturing	15.6%	24.8%	24.7%
Wholesale Trade	2.2%	1.2%	1.5%
Retail Trade	8.6%	9.9%	11.7%
Transportation/Utilities	5.7%	7.1%	3.6%
Information	0.6%	0.9%	1.3%
Finance/Insurance/Real Estate	3.2%	2.1%	8.9%
Services	49.6%	39.4%	34.9%
Public Administration	3.8%	5.0%	5.3%

Home Values



Home Ownership Costs

Percent of residents who own their home	75.6%	65.4%	69.0%
Median home value	\$313,134	\$230,483	\$173,400
Percent of owners spending 30% or more of monthly income on mortgages	23.0%	13.8%	14.8%

Renting Costs

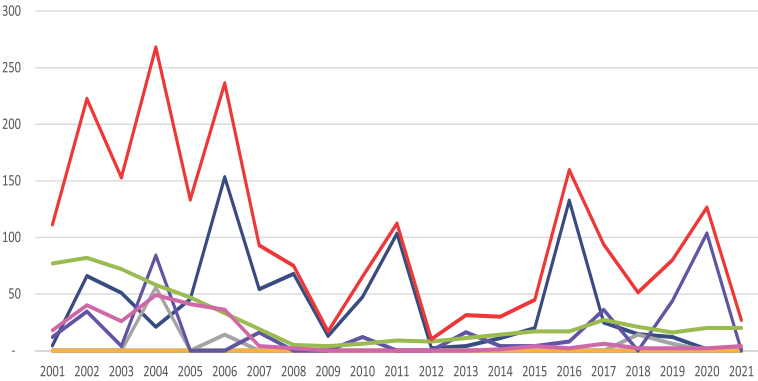
Percent of residents who rent their home	24.4%	34.6%	31.0%
Median monthly rent	\$1,048	\$973	\$854
Percent of renters spending 30% or more of monthly income on rent	35.1%	48.4%	60.9%

DEVELOPMENT AND LAND ECONOMICS

Construction History and Build Out

When combined with growth projections, past development activity is used to estimate demand for land accommodating future development. However, due to wide variability in development types, actual land use may vary — especially with redevelopment that may involve no net land increases.

Permits Issued by Use Type (2001-2021)



Faribault saw a surge of building activity during the housing boom of the early 2000’s. After the 2008 market crash growth stalled until recently, when new multifamily and commercial permit activity increased. This renewal was in part driven by benefits and incentives of the Federal Opportunity Zone program. The city then saw steep drop in 2020 stemming from market uncertainty in the COVID pandemic.

Land Absorption Rates

The table below shows land absorption rates based on 5-, 10-, and 20- year averages. Absorption rates and zoning regulations, like density and lot coverage, can estimate future demand for land.

Use Type	5-Year Average				10-Year Average				20-Year Average			
	Total Acres Absorbed	Average Acres	Total Units Built	Average Units Built per Year	Total Acres Absorbed	Average Acres Absorbed per Year	Total Units Built	Average Units Built per Year	Total Acres Absorbed	Average Acres Absorbed per Year	Total Units Built	Average Units Built per Year
Multifamily homes	19.0	3.8	183.5	36.7	23.1	2.3	215.8	21.6	30.8	1.5	366.3	18.3
Single-family residences	57.3	11.5	104.0	20.8	153.3	15.3	171.0	17.1	257.2	12.9	506.0	25.3
Townhomes	3.4	0.7	16.0	3.2	4.1	0.4	23.0	2.3	25.5	1.3	221.0	11.1
	Total Acres	Average Acres	Total Square Footage Built	Average Square Footage Built per Year	Total Acres Absorbed	Average Acres Absorbed per Year	Total Square Footage Built	Average Square Footage Built per Year	Total Acres Absorbed	Average Acres Absorbed per Year	Total Square Footage Built	Average Square Footage Built per Year
Commercial	112.1	22.4	277,430.4	55,486.1	265.2	26.5	956,217.8	95,621.8	906.0	45.3	1,841,461.9	92,073.1
Industrial	12.8	2.6	147,453.8	29,490.8	92.9	9.3	447,452.8	44,745.3	409.7	20.5	542,629.9	27,131.5



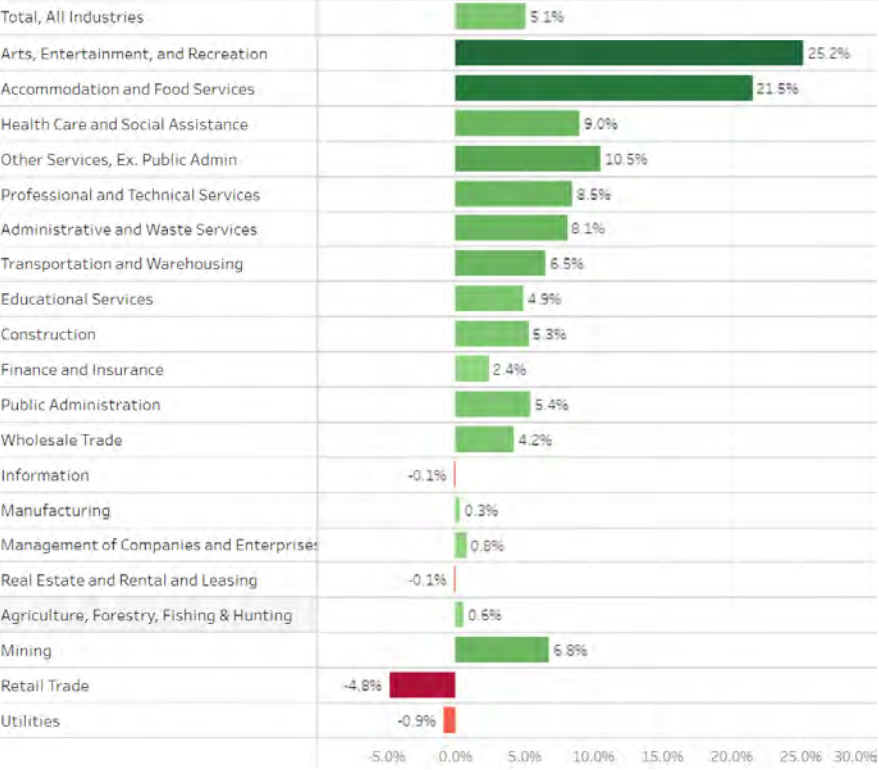
Acreage Absorption (2001-2021)

Absorption is the amount of land used up by development. Land absorption rates spiked in the post housing market crash era, before establishing a fairly rhythmic pattern over the last ten years. The city has seen fairly negligible condominium development, so that category is not included in the calculations above.

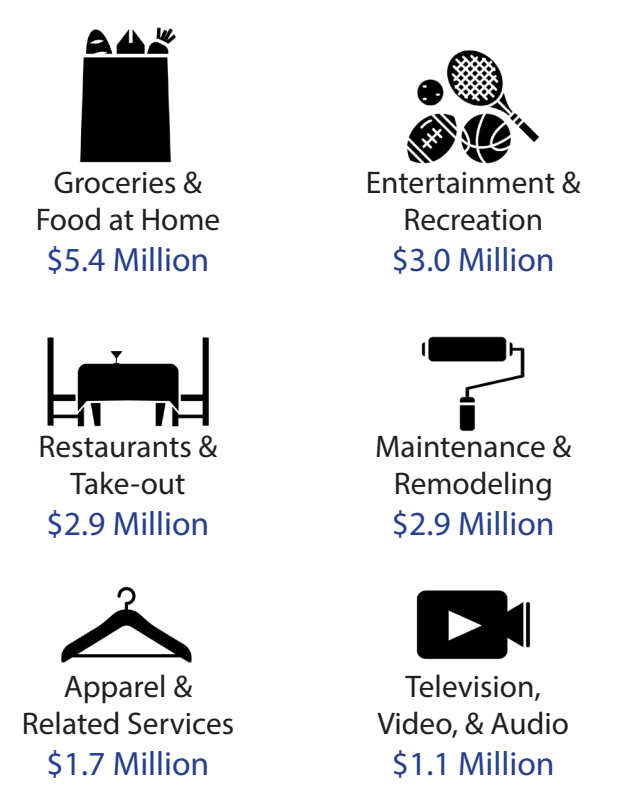
Commercial and Industrial Growth

While housing demand is largely a factor of household type and income, commercial and industrial generally have many more variables. The chart below shows expected industry growth trends in the region. The decline of retail reflects the rise of online shopping.

Southeast Minnesota Job Growth by Industry (2020-2030)



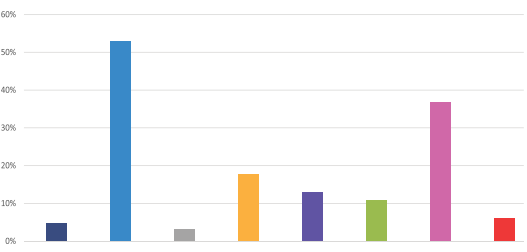
Faribault 5-Year Projected Spending Growth (2023-2028)



Development Footprint and Tax Capacity

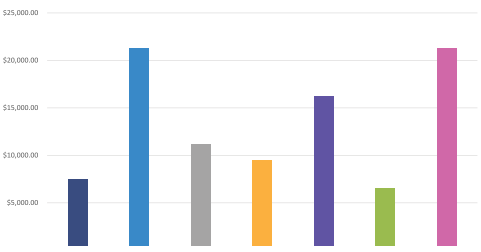
Tax capacity of different land use types demonstrate the potential public revenue benefits of development projects.

Percent Parcel Developed (2001-2021)



The footprint of multifamily housing like condominiums and townhomes take up the largest percentage of development sites.

Tax Revenue Per Acre (2001-2021)



Multifamily housing yields the highest average tax revenue per acre. This reflects the more intensive use of these sites in terms of their property footprint.

Cody - add legend here
Larger y-axis labels on both charts

HOUSING INVENTORY AND OPPORTUNITIES

Local Market Trends

Faribault has a median household size of 2.6 people — about on track with the state average of 2.5. About 36% of owner occupied and 52% of rental housing are families with children. These households tend to seek out larger, multi-bedroom units, leading to a shortage of dwellings with 3 or more bedrooms.

Consumer data and construction trends demonstrate a growing preference toward sustainable and resilient housing. These may include efficient/sustainable building materials, and renewable energy capturing technologies like solar panels and wind turbines. These green alternatives are increasingly sought after for residential, commercial, and industrial construction.

Housing Affordability in Faribault

Locally, there’s a projected demand for housing units appealing to first time home buyers of a modest size (up to 1,500 square feet). With an estimated housing construction cost of \$200 per square foot*, and estimated mortgage rates of 6%*, the average household could afford around a 1,500 square foot home before becoming “cost burdened” - a term referring to more than 30% of monthly household income being used on housing and related expenses.

*Spring 2023 estimate

Gaps in the Current Housing Market

There are two major multifamily housing projects recently completed near downtown Faribault. In both projects, more than 80% of all the units were leased before construction finished.

Quick lease-ups of these units indicate a resident demand for housing in a mixed-use, urban environment. In Faribault, these options, while increasing, are still limited.

Further, the city has limited supply of housing available that meets these characteristics:

- Two-bedroom units of a modest size
- Sale price under \$300,000
- Monthly gross rent under \$900 per 2 bedrooms dwellings
- Located within a walkable neighborhood with variety of shopping, dining, and entertainment options within a 1/4 mile walking distance

A well-connected mixed-use environment, located adjacent to commercial, light industrial and industrial employment centers, and buffered yet connected by open/green spaces and trails is suitable for this type of housing.



Multifamily Residences
Straight River Apartments



Townhomes
Stoneridge Community

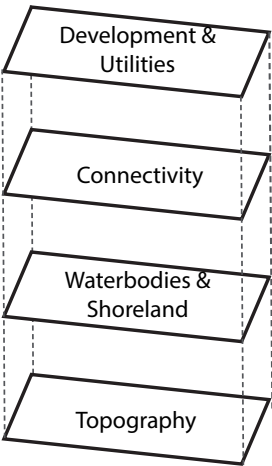


Single-family Homes
Stoneridge Community

AREA CONDITIONS FRAMEWORK

Physical Conditions

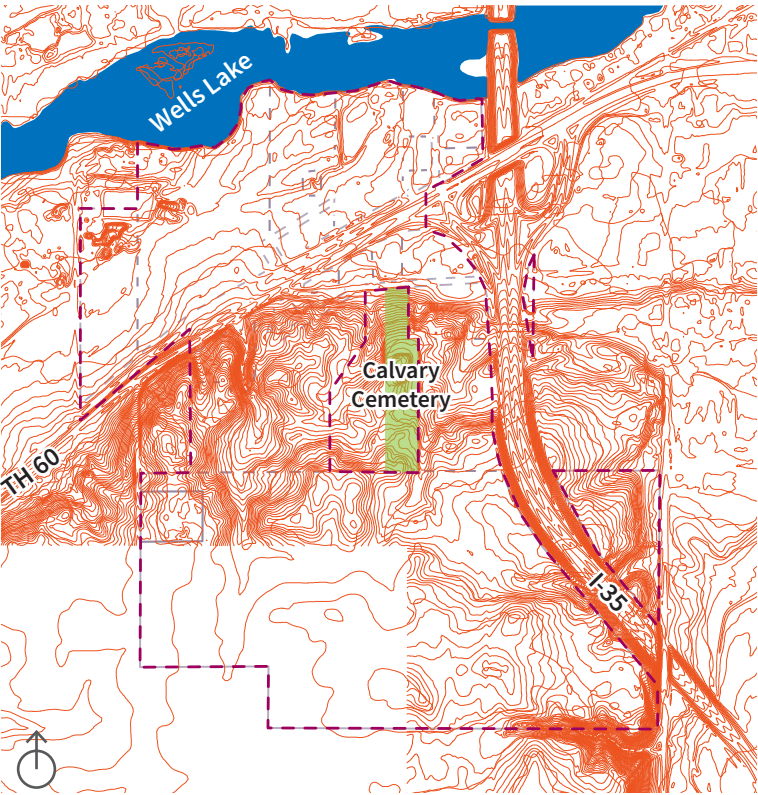
Understanding the physical conditions of the TH 60 West area was informed by a layered approach to place-based thinking, where physical characteristics are “stacked” upon each other to create an interrelated understanding of place. Details of these elements are outlined to the right.



Policy Conditions

Major policy considerations of the area include:

- A Shoreland Overlay District extends 1000’ from Wells Lake and regulates lot size, coverage, and density, which create additional regulation on dense and non-residential development near the lake.
- 100- and 500-yr flood areas exist around the NE commercial area. This pocket of commercial does not experience regular flooding today, but floodplain regulations do impact future development.
- There are numerous private easements throughout the site, and the largest is a major gas line running north/south through the study area. This wide easement prohibits any development within its boundaries.
- City officials must be open to rezoning some or all of the study area based on comprehensive plan guidance and market-based support.
- Interstate 35 is designated as an Alternative Fuel Corridor by MnDOT and the Federal Highway Administration, opening up increased funding opportunities for EV charging, hydrogen, propane, and natural gas fueling infrastructure.

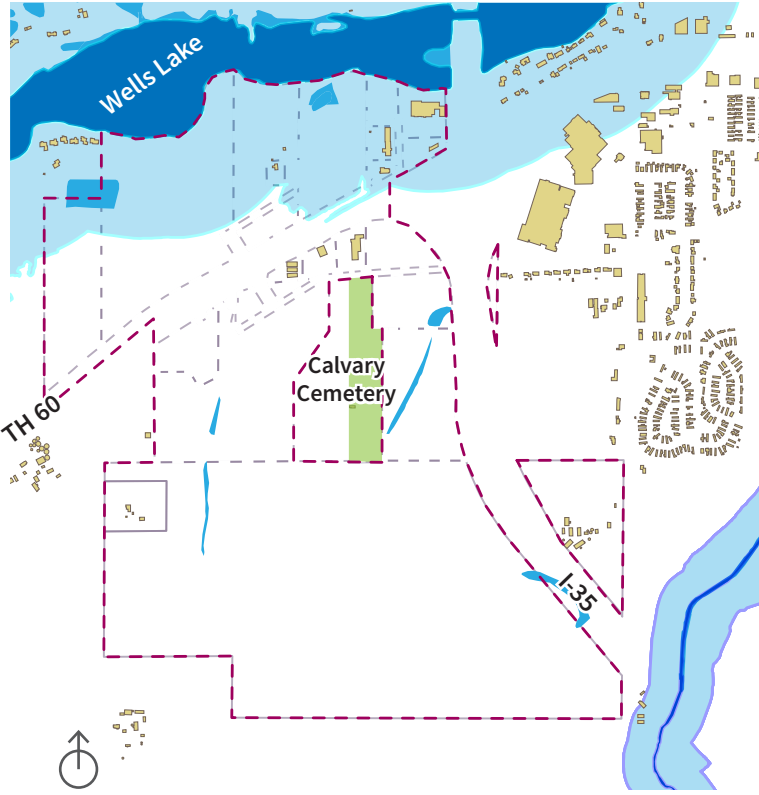


TOPOGRAPHY

A defining feature of the study area is the steep topography south of TH 60. From the roadside of TH 60, the elevation climbs rapidly to as much as 80-feet, providing beautiful sweeping views to the north and west.

Land north of TH 60 is comparatively flatter, and provides a gradual transition down to Wells Lake.

*The SW portion of the study area uses 10-foot contours, as 2-foot contours are unavailable.

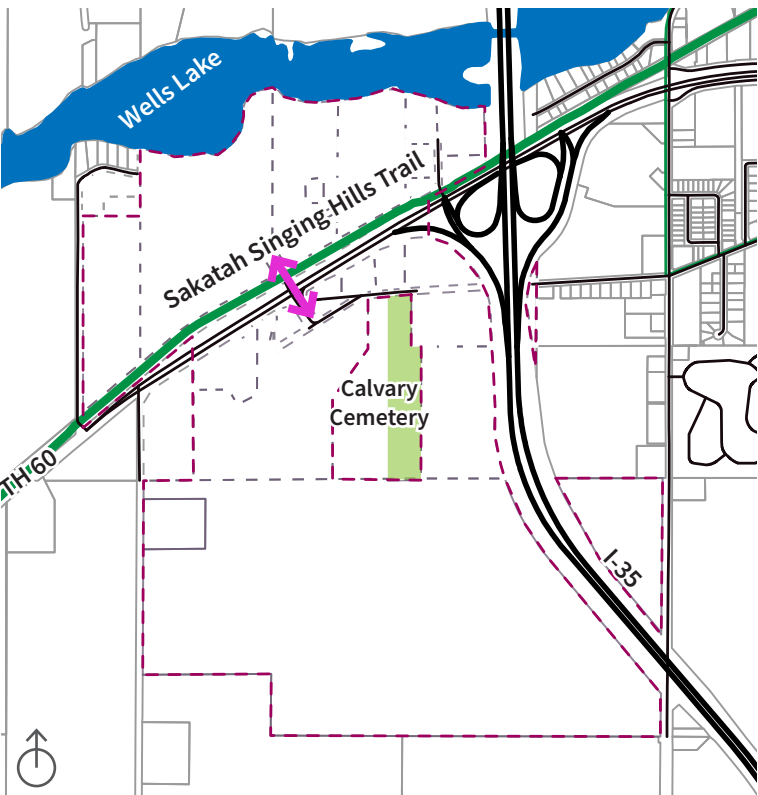


WATERBODIES AND SHORELAND

The study area is bounded to the north by Wells Lake, which provides a potentially significant asset for future development and recreation.

The Shoreland Overlay District for Wells Lake creates a protected area 1000’ from the shoreline, and regulates the scale, intensity, and impervious coverage of buildings within the overlay.

There are some flood areas in the study area, but are mostly limited to the northeast and therefore have minimal impact on the study area.

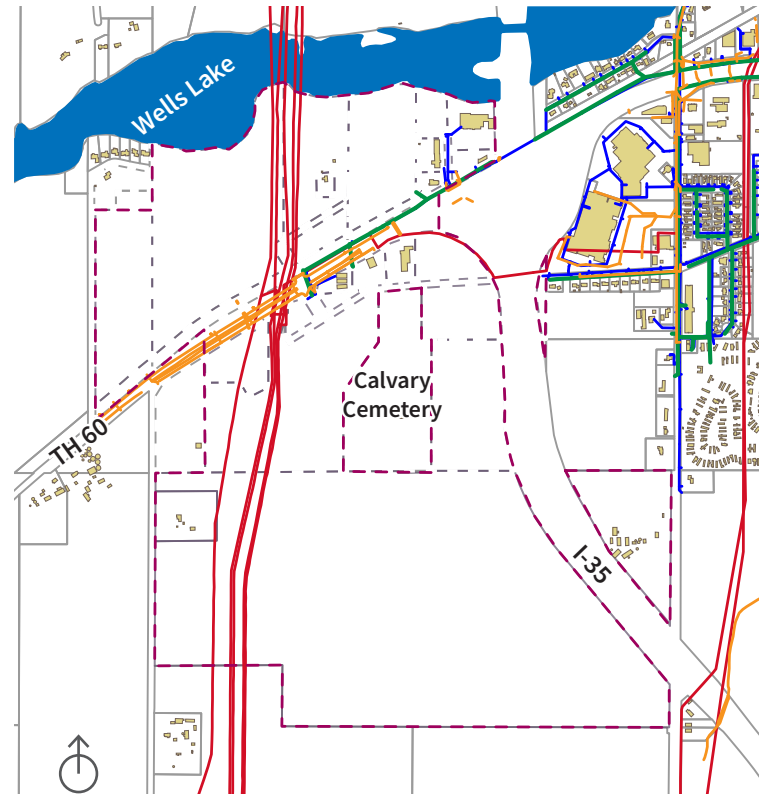


CONNECTIVITY

TH 60 West’s strongest marketing attribute includes easy access to Interstate 35 and travel along the corridor. However, the interstate does limit existing east-west access down to one point: the I-35/TH 60 interchange.

TH 60 bisects the study area and operates without signalized intersections or pedestrian crossings. Future improvements along TH 60 should include intersection and pedestrian improvements.

The Sakatah Singing Hills Trail runs along the north edge of TH-60 within state ROW, providing regional recreational access through the heart of the area.



DEVELOPMENT AND UTILITIES

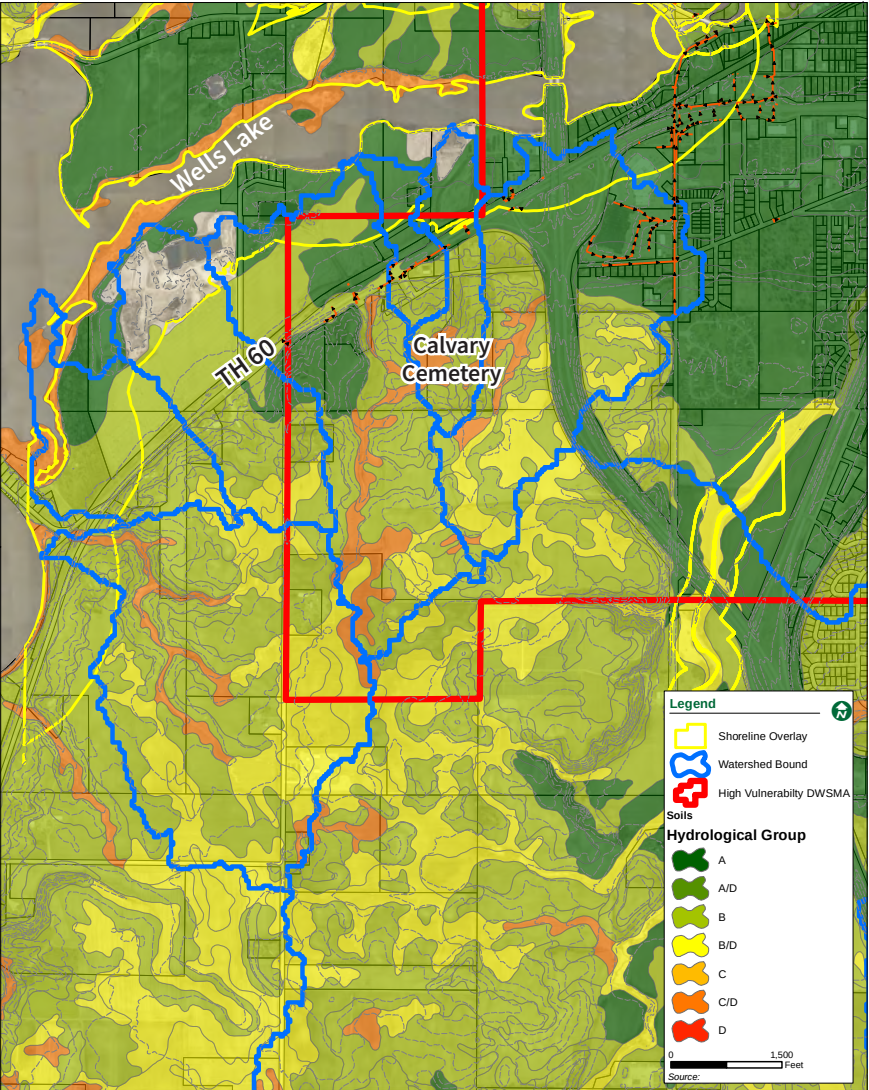
Development in the study dates to the 1970s north of TH 60 and the 1980s-1990s south of the Th 60.

City water and sewer serve the study area and extend to 38th Ave NW.

Among the most significant encumbrances for the study area includes multiple natural gas lines running north-south in an easement several hundred feet wide.

Crossing the easement will require cooperation with Northland Natural Gas.

SOILS AND WATER RESOURCES



Soils

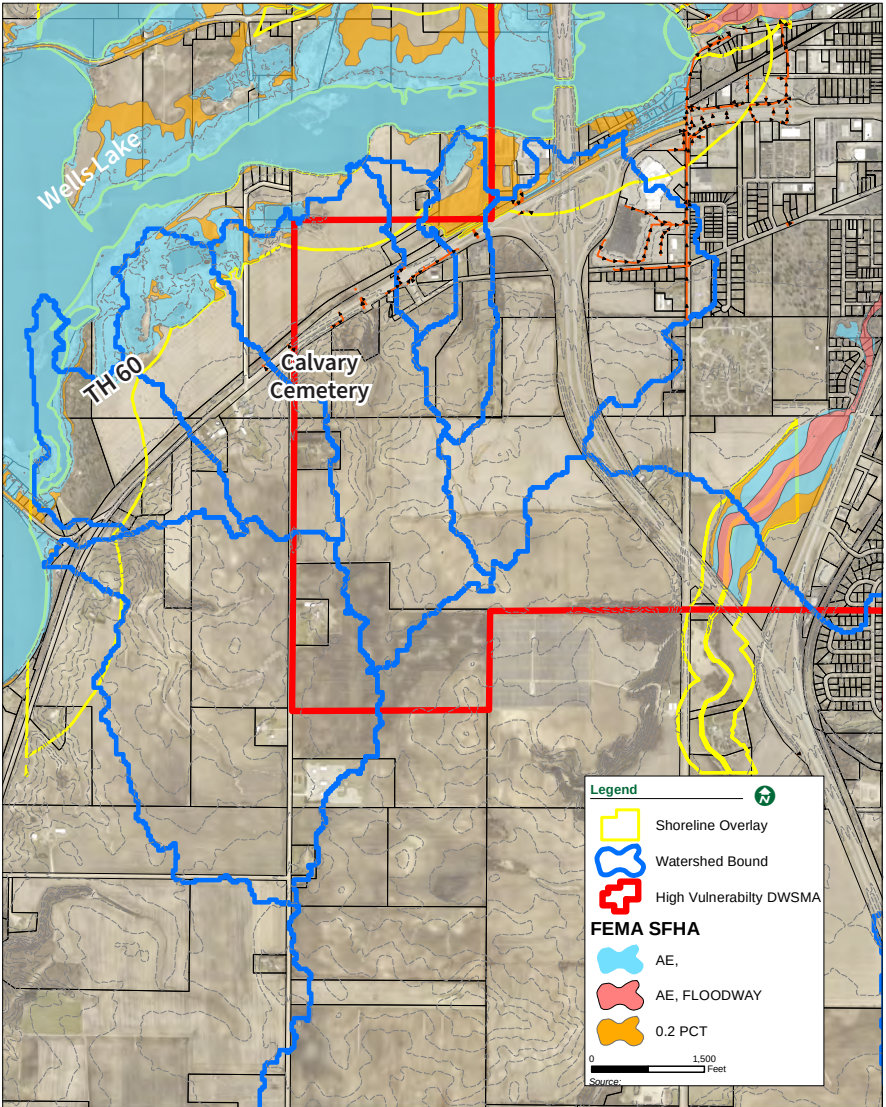
Area soils are generally sandy with moderate to good infiltration capacity. These well-draining soils provide opportunities and challenges in terms of stormwater management

Sandy soils are great for meeting volume control standard. With some additional geotechnical investigation, the sandy soils can be utilized to reduce stormwater management footprints by enhancing regional infiltration.

When sandy soils are paved, the change in runoff volume is more exaggerated than tighter clay soils as most of the water soaks into sandy soils before it starts to move across the land. When those soils are paved over, stormwater runoff is almost instant meaning managing rate control could add to the overall stormwater footprint.

Some of this volume change can be mitigated through the use of larger regional facilities, as opposed to individual lot stormwater management practices.

However, sandy soils can also lead to higher vulnerability of drinking water supply management areas (DWSMAs). In this case, Faribault has a high vulnerability DWSMA that extends over a portion of the development area. Stormwater infiltration may be limited, or even prohibited, in these areas. During preliminary site planning, it will be important to recognize these limitations and provide higher level engineering should infiltration be necessary in these areas.



Stormwater & Treatment

Stormwater runoff in the study area currently drains from south to north and on the ground surface. Regional drainage is largely defined by steep swales and largely stable ravines south of TH 60. As drainage enters the Cannon River floodplain north of TH 60, topographic grades dramatically flatten.

Each ravine has a culvert crossing at Highway 60. These may be good boundary conditions for upstream development. As such, regional stormwater management could be split south and north of Highway 60 to leverage the existing infrastructure.

The Cannon River has been studied for flooding and has a FEMA defined special flood hazard area. The flood fringe and floodway designations offer both limitations and

flexibility. While fill is allowed within the flood fringe to elevate a structure above the 100-year base flood elevation, the floodway and flood fringe are very close together in this area resulting in development becoming difficult to achieve without mitigation measures.

Currently, the floodplain areas north of Highway 60 have in-place stormwater ponds and/or material mining. These low areas should be explored for use in regional stormwater management approaches to limit additional excavation.

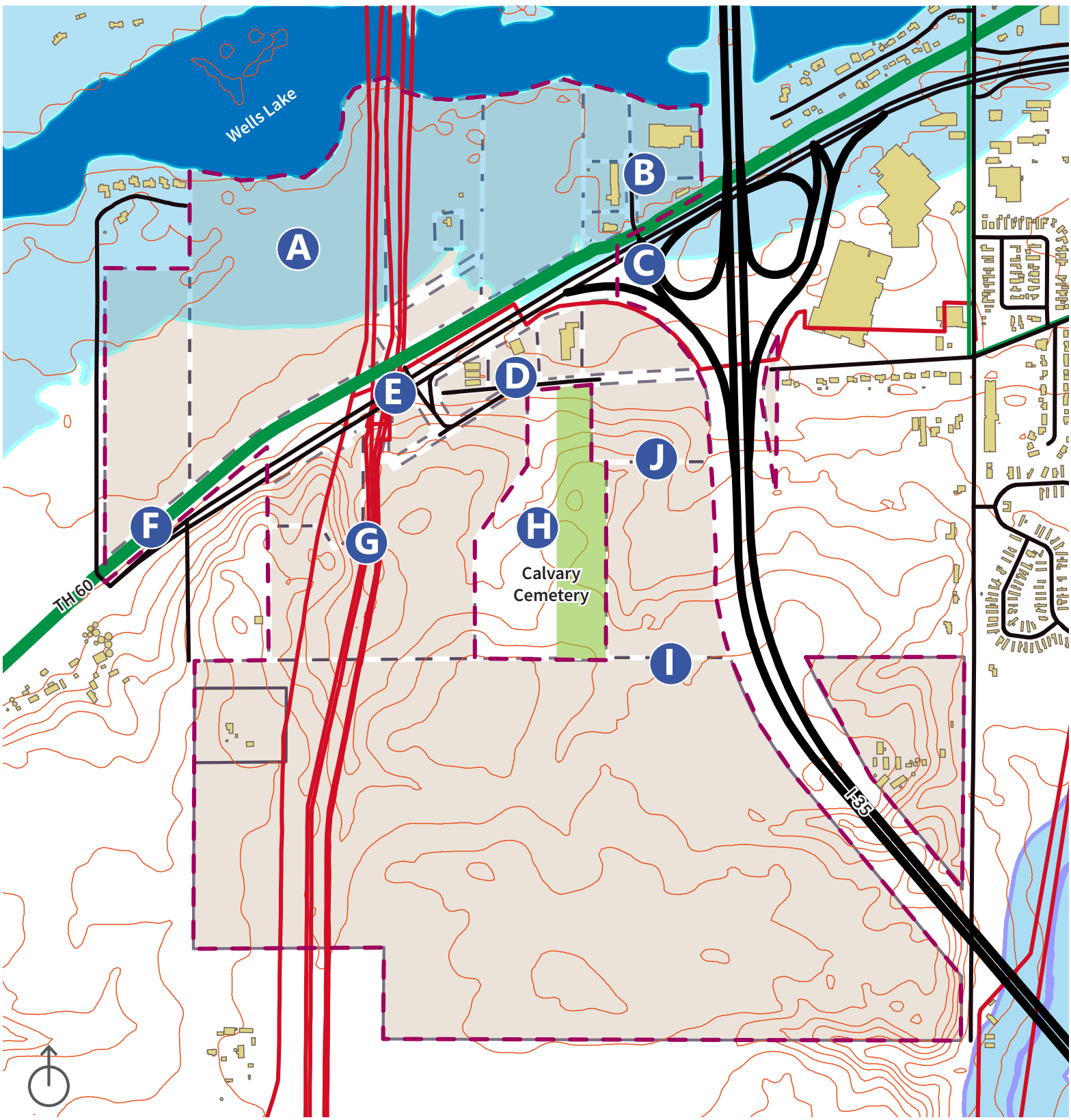
AREA CONDITIONS SUMMARY

Challenges

- Steep topography, particularly to the south, creating difficult conditions for access and dense, large scale development.
- A series of natural gas lines running north-south and associated private easement, creating a bisecting hurdle for development and connectivity.
- The Shoreland Ordinance, which extends 1000’ from the Wells Lake shoreline, provides additional and at times unclear, regulation of development type and density above and beyond city zoning.
- A single point of access (TH 60) connecting the study area to the rest of the City limiting connectivity with other city areas.
- The site must compete with other identified redevelopment and growth areas across the city.

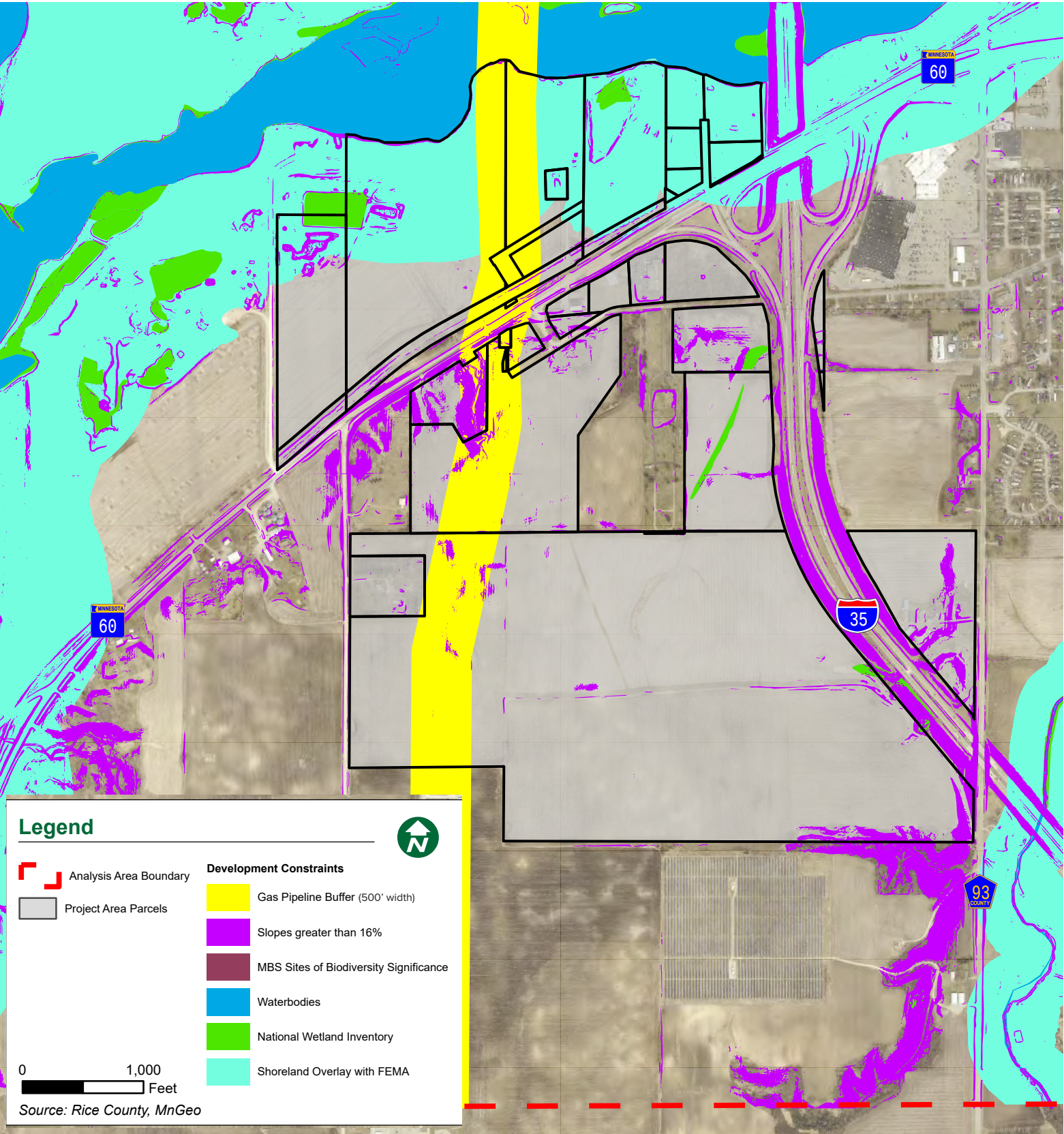
Opportunities

- As one of three Interstate 35 access points for Faribault, the area has great access to regional, state, and interstate commerce.
- The area has great potential as an attractive and welcoming gateway into Faribault.
- Steep topography presents pristine views of the city and natural features.
- Future access to Wells Lake could be a major attractor for future homes, or lake-oriented recreation.
- The Sakatah Singing Hills State Trail provides regional bike access and tourism opportunities through the middle of the site.
- The area is already served with sufficient public utilities, reducing the cost of extension for future buildout.
- New housing in the study area can support city-wide housing demands and provide a range of dwelling types and price points.



- A** The Shoreland Ordinance significantly regulates development density and coverage, making multifamily and non-residential development difficult. However, because much of the area was zoned Commercial prior to Ordinance adoption, there is greater flexibility in total lot coverage allowance.
- B** Existing commercial uses date back to the 1970's and are clustered in the NW quadrant of the interchange
- C** I-35 provides exceptional visibility, interstate commerce and travel access, but is also a barrier to accessing the rest of the city
- D** Development south of TH 60 is a mix of industrial and commercial uses dating back to the 1990s
- E** TH 60 bisects the study area but provides critical access to and through the area, while offering a direct connection to Downtown Faribault
- F** The Sakatah Singing Hills State Trail offers regional connectivity and recreation, connecting to the Western Ave Trail and City of Faribault Trail.
- G** Five major gas lines and the associated easement create a major area encumbrance, particularly for development and interior connectivity
- H** Cavalry Hills Cemetery, dating back to 1858, is a centerpiece of the area and final resting place of Alexander Faribault. Half the property is used for the cemetery, while the other half is used for agricultural land. Enhancing and celebrating this iconic location should be central to area's future.
- I** Sandy soils and numerous natural drainage areas at low points within the steep topography should be utilized for exploring regional (multi-site) stormwater management.
- J** Significant and steep topography define the southern portion of the study area, presenting sizable development barriers, but also opportunities to create uniquely sited uses with some of the best views in the city.

DEVELOPABILITY AND SUITABLE USES



Developable Area

Of the approximately 495 acres within the study area, a total of 412 acres are developable when controlling for the following criteria

- **Topography** — slopes > 15%
- **Water constraints** — protected floodplain and/or wetland areas
- **Easements** — the presence of significant easements, specifically the north-south natural gas line

70 acres of this developable area is also within the Shoreland Overlay, which regulates development intensity. While not prohibiting development, it does result in lower allowed development intensity.

Preliminary Development Suitability

1. North of TH 60



Suitable for:

- Single family and other low-density neighborhoods within the Shoreland Overlay District
- Transitions to multifamily dwellings along edges of the Shoreland Overlay District
- Mixed-use and/or small-scale commercial along TH 60 outside of the Shoreland Overlay District with connections to adjacent residential neighborhoods
- Gradual redevelopment of existing business sites.

2. South of TH 60



Likely suitable for:

- Highway-oriented or regional commercial, leveraging access to I-35
- Light and medium industrial users requiring interstate access
- Specialty users such as green energy or data centers
- Gradual redevelopment of existing business sites.

An aerial photograph of a landscape, likely a river valley or floodplain, showing a winding river, agricultural fields, and a network of roads and infrastructure. The image is monochromatic, rendered in shades of brown and tan. A road runs diagonally from the bottom left towards the center, with several smaller roads branching off. A large, irregularly shaped area of water or a dry riverbed is visible on the left side. The right side of the image shows a more developed area with buildings, parking lots, and a grid-like street pattern. The overall scene suggests a planning or design project for a transportation or land use project.

DESIGN FRAMEWORK

LAND USE FRAMEWORK

Leveraging the Interstate

Interstate access is among the biggest economic assets of the area. However, there are several different types of commercial uses that are drawn to an interchange. The TH 60 West Master Plan strives to determine an appropriate balance of uses that can boost economic growth, while also elevating a unique quality of place at the western gateway to the city.

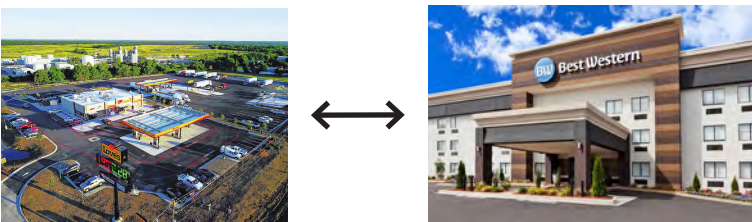
The plan seeks a balance of two ends of a land use spectrum, both of which is drawn to an interchange.

Auto-Serving: Uses that are oriented to selling, servicing, or enhancing vehicles, or those that people do not need to leave a vehicle to experience, such as fast food restaurants. Generally speaking, these uses are single trip destinations with strong economic value.

These uses could also be understood as “traditional highway oriented uses”, in that they are more commonly found adjacent highways, and are comparably more reliant on interchange proximity.

People-Serving: Uses oriented to personal service, entertainment, or recreation, or other businesses types requiring people to leave their cars, such as sit-down restaurants. Generally speaking, these uses encourage visiting multiple destinations during a trip due to proximity, often by walking between each. There are unique economic and quality of place value in these uses, however people-serving uses were not viewed as inherently more-desireable uses.

These uses could also be understood as alternative highway oriented uses, since they find interchange proximity highly desirable but are comparatively less reliant on an interchange. As such they are less commonly found adjacent to highways.



Auto Serving / Traditional Highway Uses People Serving / Alternative Highway Uses

Residential Neighborhoods

Due to topography and other encumbrances, the north study area is identified as more appropriate for new, complete neighborhoods that could offer a more natural aesthetic and smaller scale, not found elsewhere in the city. Likewise, the natural gas line easement serves as a delineation between the commercial district adjacent to the interchange and two proposed neighborhood types further west.

The first neighborhood type embraces a conservation-style development design, recognizing the Shoreland Overlay District limiting development intensity near Wells Lake.. Modestly-sized homes in this conservation-style development provide cost-efficient opportunities for home ownership.

The second neighborhood type envisions multifamily housing for those areas outside the Shoreland Overlay. These medium- and high-density apartments and townhomes are critical for supporting surrounding commercial uses, and offer the city much needed new housing stock.

Housing in this study area differentiates itself from other housing in the city through proximity and access to Wells Lake and orientation around natural, public spaces.



Sustainable Industrial

The city needs large, shovel-ready development sites for medium- and large-scale industrial uses. The southern-most portions of the study area would be most appropriate for these uses as it contains the largest areas of developable land, has adequate access and visibility to Interstate 35, and does not compete against residential and commercial uses experiencing strong market draws in the north.

Rather than simply allowing traditional manufacturing, the city should leverage I-35 as an alternative fuel corridor, using energy programs from both the State and area utility providers to pursue green, sustainable manufacturing and design. Businesses may include producers of green energy components, utilization of sustainable sources of energy, or building design decisions like naturalized landscapes, low-salt site design, EV charging stations, or greenspace preservation.

This may also include closed-loop production systems in which the “waste” of one user becomes an input for another, thereby reducing total system byproducts. This approach requires significant coordination across users, ensuring public and private infrastructure sufficiently supports system needs.



Public Space

New public space opportunities are explored primarily within neighborhood and commercial areas of the north study area. Recognizing that Wells Lake is a unique natural asset, these public spaces embrace the water and provide area residents and visitors the chance to view and connect with Wells Lake. When combined with interchange proximity, water-oriented public spaces function as a catalyzing anchor of the northern land use vision.

More naturalized public spaces are concentrated in the residential neighborhoods, while more programmed spaces are considered within the commercial district adjacent the interchange.

Additionally, the plan recognizes regional stormwater and drainageways as natural, public amenities. These not only help organize land uses, but could provide key stormwater management for new development.



TRADITIONAL HIGHWAY ORIENTED LAND USES

Truck Stop
8-12 Acres



Auto/Implement Dealer
5-10 Acres



Gas Station
.5-3 Acres



Destination Stop
10-20 Acres



Car Dealer
3-8 Acres



Fast Food
1 Acre



ALTERNATIVE HIGHWAY ORIENTED LAND USES

Hotel
2-4 Acres



Charging Stations
Site design



Water Commercial / Event Center
1-5 Acres



Casual Restaurants
1 Acre



Medical Office / Clinic
1-5 Acres



Enhanced Facades / Design
Building Design



CONSERVATION NEIGHBORHOODS

Jackson Meadow, Marine-on-St. Croix, MN
salmela architects



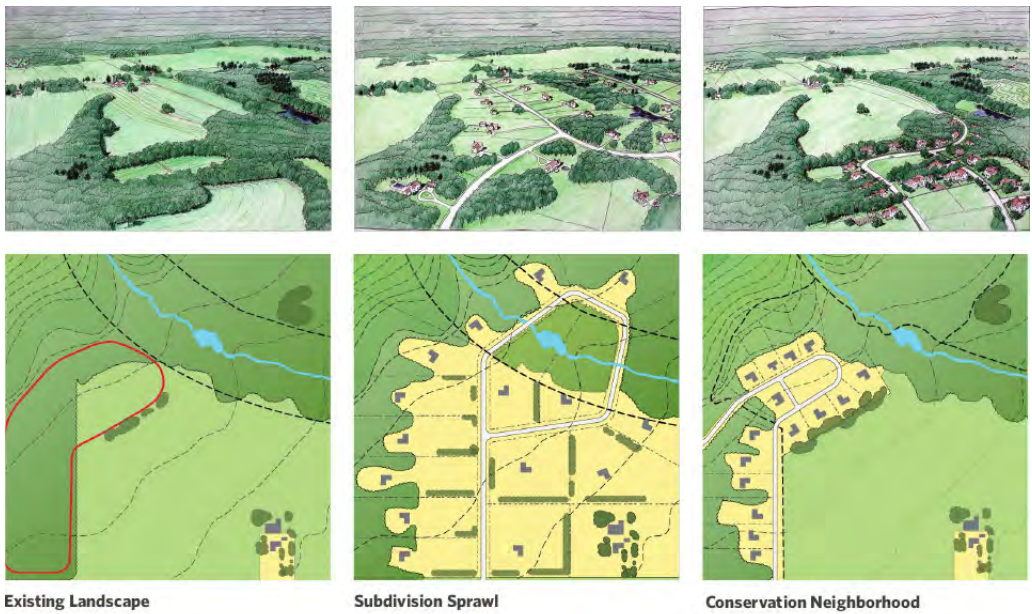
Pocket Neighborhood



Native Plant Preservation
landscape conservation



Development Patterns
Source: bettertowntoolkit



Preserved Landscape
landscape conservation



Rural Trail
Connect Neighborhoods

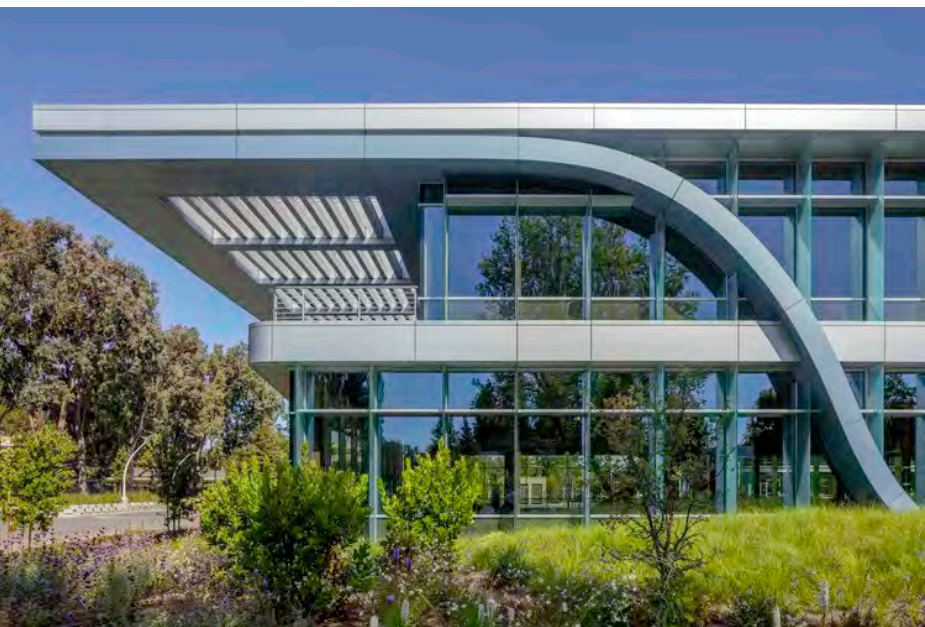


INDUSTRIAL, GREEN MANUFACTURING

Industrial Flex
2-20+ Acres



Embrace Natural Aesthetics
Site design



Roof/Supportive Solar Panel
Site/Building design



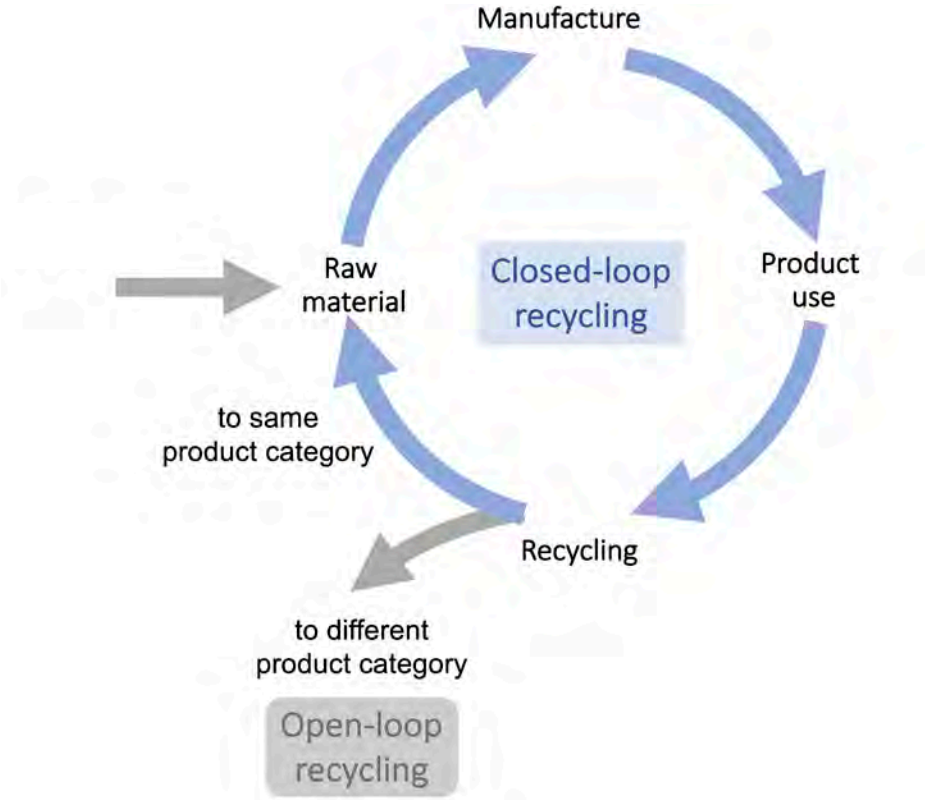
Enhanced Facade / Design
Building Design



Green Manufacturing
5-15+ Acres



Closed-Loop System
Industrial Systems Approach



SHORELINE PUBLIC SPACE IDEAS

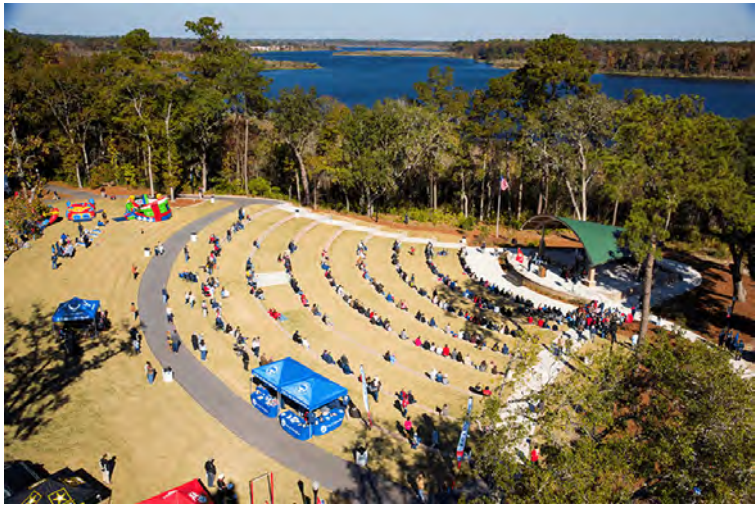
SHORE EDGE



WATER ACCESS



COMMERCIAL ACTIVITY



An aerial photograph of a landscape, likely a river valley. A wide river flows from the top left towards the bottom center. To the right of the river, there are several large, rectangular fields, some of which appear to be agricultural. A road or path runs diagonally across the middle of the image, intersecting the river. The background shows a dense forest or wooded area. The overall tone is sepia or brownish, giving it a historical or archival feel.

THE PLAN

NORTH STUDY AREA



NORTHERN NATURAL GAS
LINE AND EASEMENT

STORMWATER POND

SHORELAND
OVERLAY

EXISTING DRAINAGE,
STATE TRAIL

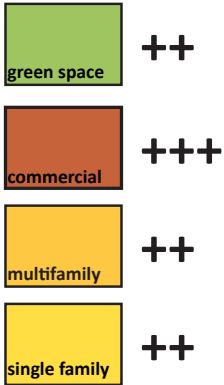
EXISTING DRAINAGE

SHORELAND
OVERLAY

STATE TRAIL



- 1 Modest, multifamily housing outside the Shoreland Overlay
- 2 Single family neighborhood within the Shoreland Overlay
- 3 Partially built out to shoreline with some public spaces, and amenities
- 4 Amenitized stormwater with centralized, public greenspace
- 5 Trail spur and amenitized drainage way bisecting the commercial area
- 6 People- and highway-oriented commercial uses
- 7 People- and water-oriented commercial uses, with connections to the waterfront park space
- 8 Large-and small-format commercial - i.e. regional dealership, showroom, truck stop



LAND USES

Interstate access is among the biggest economic assets of the area. However, there are several different types of land uses that are drawn to an interchange. This plan seeks to answer was an appropriate balance of people-serving and auto-serving uses by recognizing that some uses see interchange proximity as a necessity, while others see proximity as a convenience.

The north study area suggests using the natural gas line easement as east-west delineator between commercial businesses dependent on interstate proximity to the east and uses not dependent on interstate proximity to the west.



New Riverfront Neighborhoods

The western portion of the study area presents an opportunity for new neighborhoods with varying price points and types for Faribault. These two neighborhoods, blended together, respond to both local housing needs and restrictions presented by the Shoreland Overlay District

Conservation Neighborhood

Constructing a conservation subdivision addresses site and design restrictions found in the Shoreland Overlay District. This neighborhood contains small lots, clustered single family homes, and generous natural landscape. A conservation subdivision celebrates a natural aesthetic by promoting land conservation and access to the water.

Housing Types: Low lot coverage single family homes.

Traditional Neighborhood

Once out of the Shoreland Overlay District, developers may construct medium- and high-density housing. Leveraging near access to trails, new parks, the water, the interchange, and just minutes from downtown Faribault, Multi-family development at this location creates a unique and attractive neighborhood type not found elsewhere in Faribault.

Housing Types: Townhomes, small and large apartments

Commercial Districts

This plan proposes that larger use types, generally those oriented to regional and inter-state markets, concentrate near the interchange and at the signalized intersection of 30th Ave NW. These auto-serving users require interstate access as a necessity.

Further to the west, the plan envisions a smaller cluster of people-serving commercial uses. These uses encourage longer visits by people leaving their car and visiting multiple businesses, the riverfront park, or state trail. These uses are still drawn to the interchange, but proximity becomes more of a convenience than necessity.

Parcels may range from 6-10+ac nearer the interchange, down to 1-3ac to the west adjacent the natural gas line. This variation in size reflect intended use types within the commercial district.

CONNECTIVITY FRAMEWORK - STREETS & TRAILS



The city has invested significantly in infrastructure readiness for future development in the TH 60 West area. As such, roadway tie ins within the center of the are have already been developed and are ready to be expanded upon.

The street network largely runs parallel to TH 60, connecting 30th Ave NW, 38th Ave NW, and a realigned Wells Lake Dr. On either side of the natural gas line easement, streets diverge from the main street network and reconnect in a loop, providing access to more commercial and residential land.

To ensure long-term maintenance and quality of the street network, the plan envisions new roadways as public streets, designed and constructed as development occurs.

The plan recommends maintaining existing intersections along TH 60, with the exception of Wells Lake Dr, which shifts alignment with Canby Ave. This intersection could benefit from being signalized as development occurs and warrants improvements.

1

CONSERVATION NEIGHBORHOOD STREETS

Streets within the conservation neighborhood should be be designed as low-speed and low-volume, seeking to minimize impervious coverage within the Shoreland Overlay District. On-street parking is provided on at least one side, and sidewalks should be on both sides wherever possible.



2

NEIGHBORHOOD STREETS

Neighborhood streets are designed to balance vehicle and pedestrian access and circulation. On-street parking is provided on both sides of the street, and sidewalks should be on both sides wherever possible.



3

STREETS OF COMMERCE

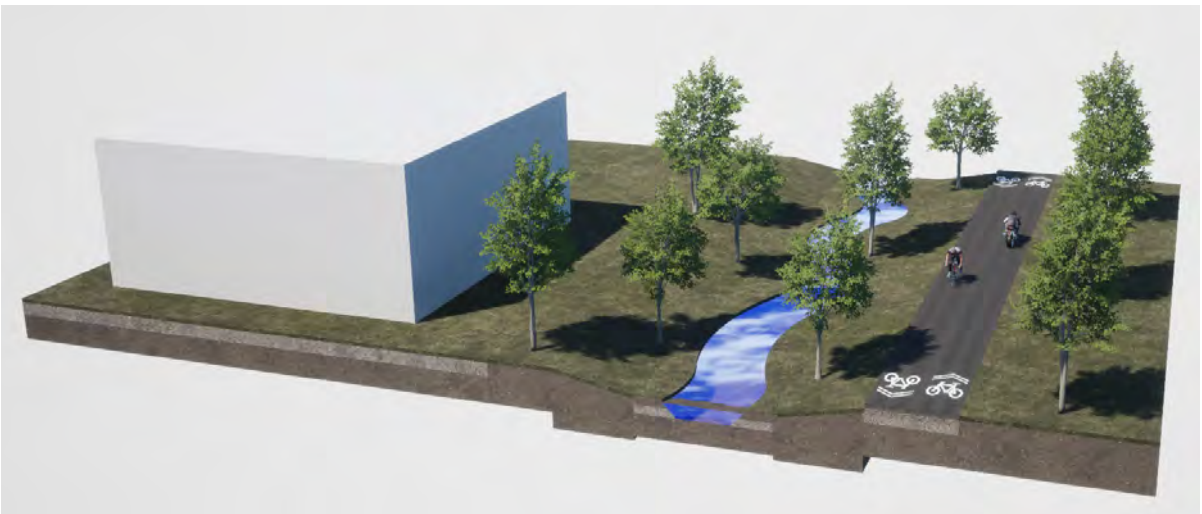
Commerce streets promote safe circulation of commercial vehicles and business access, yet remain accommodating to those walking and biking. Parking is off-street, and a center turn lane supports business access and larger vehicle turn movements. A sidewalk is provided on one side, with the other contains a shared use path when possible to accommodate bike and pedestrians.



4

TRAIL SPUR

Trail spurs within the northern section of the study area connect residences and businesses with the Sakatah Singing Hills State Trail. This spur runs alongside a stormwater drainage feature, landscaped with native plants. These routes promote area circulation and leverage the amenitization of area infrastructure as attractive development features.



PUBLIC SPACES FRAMEWORK

The plan proposes a series of new public spaces as connective organizing amenities across the northern study area. The three primary spaces are organized within, and programmed to support, surrounding land use context. Each leverages the proximity to Wells Lake by providing views or even access to the water, and celebrates natural drainage patterns by continuing to daylight drainageways.



Neighborhood Park

Located amidst new shoreline housing, the neighborhood lakefront park provides passive, natural spaces for surrounding residents to relax and enjoy Wells Lake.

The neighborhood park is the northern-most extent of a green connection and trail spur extending up from Sakatah Singing Hills State Trail though the heart of the residential neighborhoods to Wells Lake.



Destination Commercial Park

The commercial district park provides programmed public space to complement surrounding people-oriented land uses. This destination park draws additional activity for those working, shopping, and passing through the commercial district. Connections into the park are complementing of adjacent development, encouraging use and recreation.



STORMWATER PARK

Expanding and enhancing the existing storm pond provides a central public gathering space surrounded by new housing.. This feature provides a naturalized public amenity within the heart of the neighborhoods, and establishing key regional stormwater management. The stormwater park is also the core of the green connection from Sakatah Singing Hills State Trail to Wells Lake.

NORTH STUDY AREA SUMMARY

CHALLENGE

- 1 SHORELAND AREA RESTRICTS DEVELOPMENT DENSITY, REQUIRES ADDITIONAL APPROVALS
- 2 GAS LINE CONTAINS EASEMENT, RESTRICTS DEVELOPMENT
- 3 IMMEDIATE PROXIMITY TO I35 SUPPORTS TRADITIONAL HIGHWAY COMMERCIAL
- 4 MISALIGNED INTERSECTION REDUCES CONNECTIVITY ACROSS THE HIGHWAY
- 5 DISTANCE FROM I35 REDUCES COMMERCIAL DEVELOPMENT INTEREST



SOLUTION

- 1 LIMIT HOUSING TYPE TO SMALL LOT SINGLE FAMILY HOUSING, IN A CONSERVATION STYLE NEIGHBORHOOD
- 2 EMBRACE THE GAS LINE EASEMENT AS AN EAST/WEST DELINEATOR
- 3 TRANSITION FUTURE COMMERCIAL FROM AUTO-SERVING TO PEOPLE-SERVING
- 4 REALIGN WELLS LAKE DR TO CANBY AVE
- 5 ALLOW FOR MEDIUM AND HIGH DENSITY RESIDENTIAL, WITH SOME SMALL COMMERCIAL



SOUTH STUDY AREA



EXISTING DRAINAGE,

NORTHERN NATURAL GAS
LINE AND EASEMENT

EXISTING DRAINAGE

EXISTING DRAINAGE

STEEP TOPOGRAPHY

STEEP TOPOGRAPHY AND
NATURAL DRAINAGE
PATTERNS

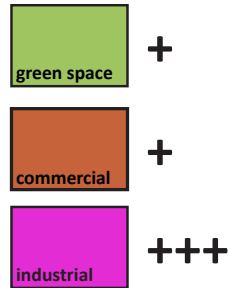
STEEP TOPOGRAPHY
AREA HIGH POINT

A Rolling Eco-Industrial Park

Highway-oriented commercial uses are concentrated in the northeast, leveraging the highway for regional commerce. Remaining land to the south is used almost entirely for terraced eco-industrial, green manufacturing, or similar uses - leveraging the natural topography to define development shape and form. The gas line easement creates a western growth edge for the full area



- 1** 3-5 acre highway commercial, with direct access to and visibility from the interchange.
- 2** Steep topography west of the cemetery, along with the gas line easement, makes development very unlikely.
- 3** Preserve and protect Calvary Cemetery, as an important destination.
- 4** Follow natural topography for future roads, while preserving a buffered space adjacent the cemetery.
- 5** Embrace topography by tiering developable areas, carving out large flat lots and interesting viewsheds from each tier.
- 6** Medium and large scale green industrial, manufacturing or energy uses that benefit from being near the interchange, but rely on large sites.
- 7** Due to topographic constraints, the natural gas line easement, and relative isolation of this area, develop is not currently envisioned to the west of the easement



LAND USE FRAMEWORK

The plan proposes locating commercial uses along TH 60 in the northeast part of this focus area, complimenting the commercial district to the north. Commercial uses are generally constrained to the northeast corner and sites east of the cemetery due to topographical and natural gas line easement restrictions.

The southern part of this focus area includes long-term development of green and sustainable industrial uses, which supports city-wide needs for large-lot, shovel-ready sites. Development in this area requires creative grading solutions for tackling topography, but strong potential remains for the southern area supporting long-term industrial uses.



Commercial

The plan envisions a cluster of high-way oriented commercial uses along TH 60, which are either auto- or people-serving. Interchange proximity and visibility from I-35 and TH 60 draw both kinds of commercial uses..

Parcels are around 5 acres for each site, but can flex to accommodate different use and business needs. Large-lot commercial sites should generally locate in the commercial district on the north side of TH 60.



Industrial District

The city needs large-lot, shovel-ready sites for medium- and large-scale industrial uses. While the southern-most section of this area is a future, opportunity-driven area, it could accommodate these uses well. This area also has abundant opportunity to support local and regional aspirations of green and renewable energy, green production, and closed loop systems of production.

MnDOT identifies this segment of I-35 as an Alternatives Fuel Corridor, potentially opening up opportunities for funding and infrastructure to support alternative and green energy systems. Along with existing utility infrastructure, Xcel Energy has expressed interest and the ability to support large energy users within the city, and along the I-35 corridor.

The plan envisions terracing the area’s steep grade into a series of large “landings”, to accommodate large-footprint users. These may be manufacturing, data centers, or distribution users. As a result, exact development layout and lot sizes will depend greatly on development staging, and coordination amongst interested developers, property owners, and the city.

CONNECTIVITY FRAMEWORK

For the near term, Calvary Drive will remain the main point of access to the area. The road will extend to the east, before turning south and following topography south and west until it reaches the larger area south of Calvary Cemetery. Due to topography, the natural gas line easement, and lack of developability, extending Cavalry Drive west, then south of the cemetery is likely not viable.

To help Cavalry drive from becoming a dead-end, a connection from Canby Ave to the west and south of the cemetery will help increase circulation and provide a second point of industrial access.

Additionally, the viability of future development further south will require new access from the south, that can connect to the larger transportation network of the city. The plan envisions a new east-west connection along the study area's southern edge that ties in to Bagly Ave.

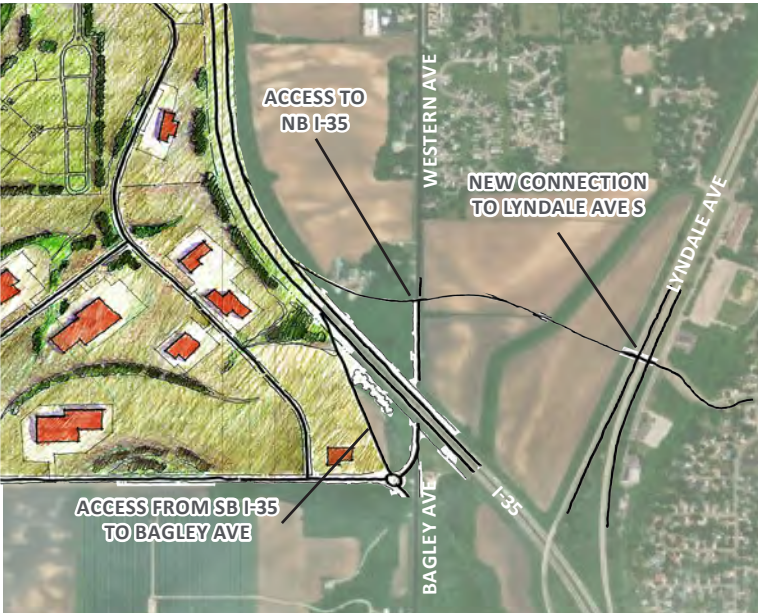


1 INDUSTRIAL STREETS

Because developing industrial sites in the south will cause industrial traffic, streets are designed and built to accommodate heavier truck traffic, and facilitate circulation, access, and turning needs. Parking is provided off-street, and a center turn lane supports business access and larger vehicle turn movements. Sidewalks are provided on one side of each street to support employees walking between businesses, or recreating throughout the day.



- 2
- This plan proposes a large, long-term project connecting the study area to Bagley Ave, Western Ave, and Lyndale Ave to fully capitalize on limited eat-west access. This connection would connect to Lyndale Ave at Highland Pl, requiring a four-way, signalized intersection. This connection must consider existing creek and wetlands that run parallel to Western between the two roads, and would require necessary mitigation.
- Longer term, the city would benefit from further studying existing and future access to I-35 from Lyndale and Western Ave/Bagley Ave. As shown, the plan envisions a future improvement that provides southbound and northbound access between I-35 and Western Ave. - connections that don't exist today.



PUBLIC SPACE FRAMEWORK

Public spaces in the southern study area remain limited to the Calvary Cemetery. Views from the Cemetery should be preserved, which could be done by establishing building height restrictions between the Cemetery and I-35. At a minimum, buffering should be required for any new development immediately adjacent to the cemetery.

As anticipated industrial development occurs, the city will work with prospective developers to identify and establish public space requirements within each development site to providing protection of existing natural environments. These spaces should also provide recreational activities for employees, or organizing features for building architecture.



Existing view from Calvary Cemetery, looking east towards I-35

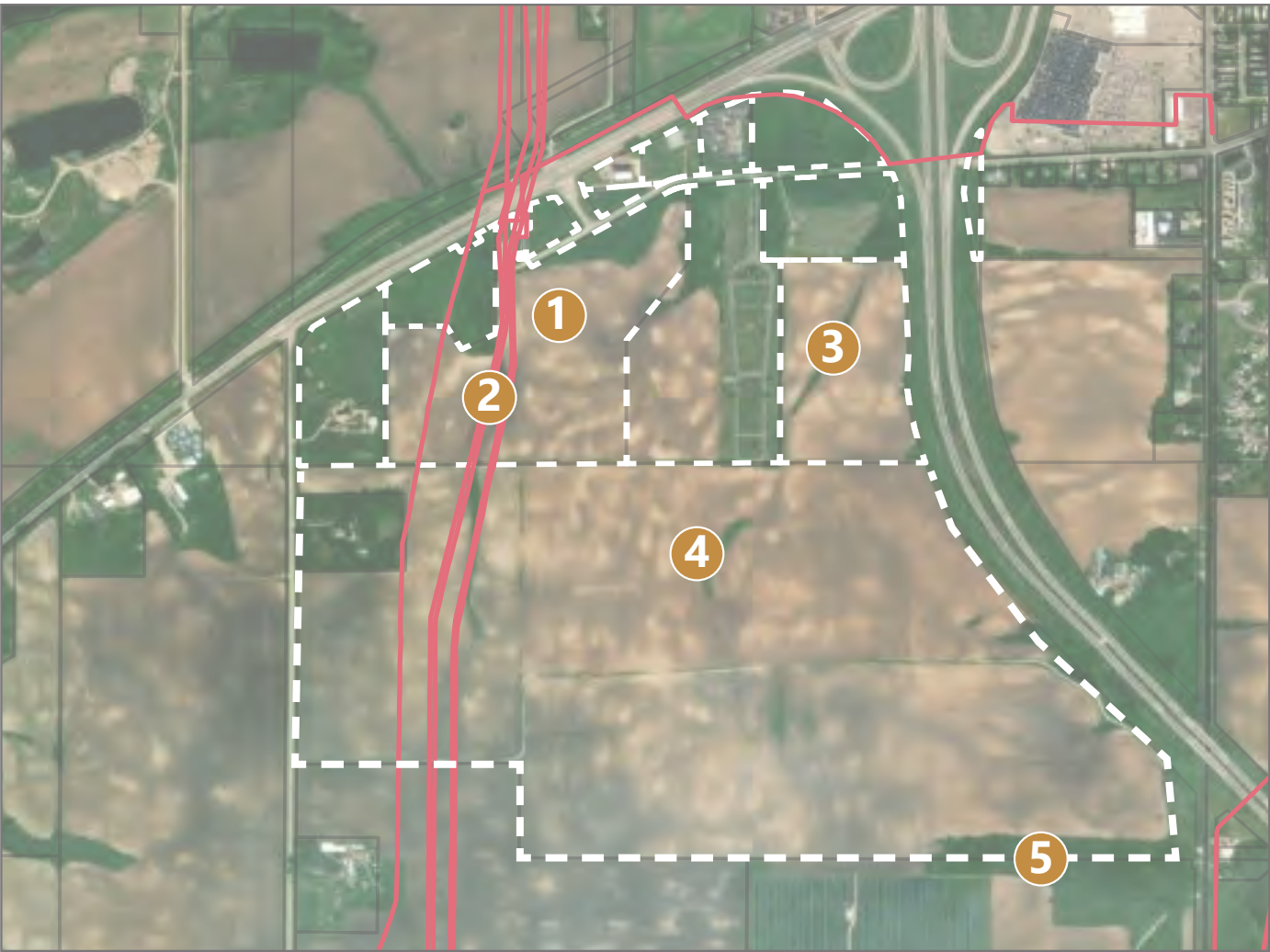


Terraced development, preserving natural spaces

SOUTH STUDY AREA SUMMARY

CHALLENGE

- 1 STEEP TOPOGRAPHY AND GAS LINE INFRASTRUCTURE MAKES DEVELOPMENT DIFFICULT
- 2 GAS LINE CONTAINS EASEMENT, RETRICTS DEVELOPMENT
- 3 DIFFICULT TOPOGRAPHY, GRADE, AND DRAINAGE MAKE DEVELOPMENT DIFFICULT
- 4 LAND OUTSIDE OF CITY BOUNDARIES, NO NEAR TERM DEVELOPMENT PLANS
- 5 LACK OF SOUTHERN ACCESS LIKELY LIMITS DEVELOPMENT POTENTIAL



SOLUTION

- 1 CONCENTRATE DEVELOPMENT TO THE NORTH, EAST, AND SOUTH OF THE AREA ONLY
- 2 EMBRACE THE GAS LINE EASEMENT AS A WEST GROWTH EDGE
- 3 EMBRACE NATURAL TOPOGRAPHY AND DRAINAGE PATTERNS TO GUIDE DEVELOPMENT AND INFRASTRUCTURE
- 4 MAINTAIN COMMUNICATION WITH CURRENT AND FUTURE OWNERS, LOOKING FOR OPPORTUNITY-DRIVEN DEVELOPMENT IN THE FUTURE
- 5 ESTABLISH NEW ROADWAY ACCESS AND CIRCULATION FROM THE SOUTH



An aerial photograph of a landscape. On the left, a wide river flows. To its right are large, open fields. A multi-lane highway runs diagonally from the bottom left towards the top right, featuring a complex interchange with several overpasses and ramps. To the right of the highway, there is a dense residential or commercial area with many buildings, trees, and smaller roads. The entire image has a warm, brownish-orange color palette.

IMPLEMENTATION

REALIZING THE PLAN

Development of the TH 60 area will be driven by private owner land sales, and developer interest. While owners and developers will determine the timing of development, there are several things the City and its partners can continue doing to further prepare the area for development and growth.

COST RANGE EST.
\$ = \$0 - 100,000
\$\$ = \$100,00 - 250,000

ACTION	LEAD	COST	TIMING
CONTINUE COORDINATION WITH PRIVATE PROPERTY OWNERS ON DEVELOPMENT PLANS, AND MARKETING OF PROPERTIES	CITY OF FARIBAULT, PRIVATE PROPERTY OWNERS	N/A	ACTIVE, ONGOING
CONTINUE COORDINATION WITH XCEL ENERGY, MnDOT, AND OTHER PARTNERS ON ALTERNATIVE FUEL, ENERGY, AND, DEVELOPMENT SUPPORT PROGRAMS	CITY OF FARIBAULT	N/A	ACTIVE, ONGOING
REVIEW AND CONSIDER UPDATES TO THE ZONING CODE NECESSARY TO SUPPORT THE DEVELOPMENT VISION, INCLUDING: - Review and update residential district density metrics to provide clarity on dwelling units per acre, design standards, and lot coverage. - Review the neighborhood commercial district zoning district for lot coverage, and consider the allowance of mixing commercial and residential uses. - Review and update commercial zoning districts for design standards that align with city’s elevated quality and design expectations. - Review the single family residential district to ensure ability to comply with standards outlined in the Shoreland Overlay District, in support of conservation-style neighborhoods.	CITY OF FARIBAULT	\$	NEAR TERM
COMMISSION A STREETSCAPE AND PUBLIC REALM STUDY TO ESTABLISH AN AESTHETIC TO SUPPORT AREA DEVELOPMENT, AND TO INFORM PUBLIC AND PRIVATE REALM DESIGN DECISIONS	CITY OF FARIBAULT	\$\$	AS DEVELOPMENT PLANNING & DESIGN OCCURS

COST RANGE EST.
\$ = \$0 - 100,000
\$\$ = \$100,00 - 250,000

ACTION	LEAD	COST	TIMING
COMMISSION PUBLIC PARK STUDY AND DESIGN, IN PARTNERSHIP WITH FUTURE STORMWATER AND SOILS STUDIES, TO DESIGN PARK SPACES ENVISIONED IN THE PLAN AND TO INFORM PUBLIC AND PRIVATE REALM DESIGN DECISIONS	CITY OF FARIBAULT	\$\$	AS DEVELOPMENT PLANNING & DESIGN OCCURS
COMMISSION A SUBREGIONAL WATERSHED STUDY OF THE NORTH AND SOUTH AREAS TO FURTHER UNDERSTAND STORMWATER IMPACTS AND OPPORTUNITIES, PARTICULARLY FOR ANY FUTURE REGIONAL SYSTEMS	CITY OF FARIBAULT	\$	NEAR TERM
INITIATE PRELIMINARY CONVERSATIONS WITH MnDOT TO DETERMINE STEPS NECESSARY FOR EXPANDING I-35 ACCESS FROM LYNDALE AVE, AND WESTERN AVE/BAGLEY AVE	CITY OF FARIBAULT, MnDOT	N/A	ACTIVE, ONGOING
CONTINUE PARTNERING WITH XCEL ENERGY AND OTHER UTILITY AND ECONOMIC DEVELOPMENT PARTNERS, TOWARD THE DEVELOPMENT AND DELIVERY OF BUSINESS SUPPORT PROGRAMS	CITY OF FARIBAULT, XCEL ENERGY	N/A	ACTIVE, ONGOING
DEVELOP A PUBLIC-FACING LIST OF DEVELOPMENT SUPPORT PROGRAMS AND FUNDING SOURCES, FOR USE BY PROSPECTIVE DEVELOPERS	CITY OF FARIBAULT	\$	NEAR TERM

XCEL ENERGY BUSINESS ATTRACTION PROGRAMS

Leveraging Partnerships

Xcel Energy partners with the City of Faribault to provide business attraction programs for current and prospective customers. Prospective businesses or residential properties that develop in the area should consider taking advantage of these or other business support and attraction programs.

Xcel Business Support Programs

ENERGY AUDITS, STUDIES, AND HOLISTIC PROGRAMS

- Business Energy Assessments
- Business New Construction Energy Design Assistance
- Business New Construction Energy Efficient Buildings
- Compressed Air Studies
- Data Center Efficiency Study
- Data Center Design Assistance
- Energy Benchmarking
- Engineering studies for lighting, heating, cooling, motors, refrigeration, or other systems
- Load Strategy Analysis
- Multi-family Building Efficiency
- Process and Commercial Efficiency

CLEAN TRANSPORTATION SOLUTIONS

- EV Supply Infrastructure
- Optimize Your Charge

FINANCING

- Trillion BTU financing

EQUIPMENT REBATES

- Clean Water Pumps
- Custom Efficiency
- Data Center Equipment Efficiency rebates
- Dynamic Thermal Storage
- Efficiency Controls
- Fan Energy Index
- Foodservice Equipment
- HVAC-R
- HVAC-R Trade Partner-Driven rebates
- Lighting Efficiency Retrofit Fixture rebates
- Lighting Efficiency New Construction rebates
- Lighting Efficiency Instant Rebates on Lamps
- Lighting Efficiency One-Stop Efficiency Shop
- Ozone Laundry
- Self-Direct

CARBON-REDUCING PROGRAMS

- Renewable Connect®
- Solar Rewards®
- Solar Rewards® Community

DEMAND MANAGEMENT

- AC Rewards for Business
- Electric Rate Savings
- Peak Flex Credit
- Peak Partner Rewards
- Saver’s Switch

ENERGY RESILIENCY SOLUTIONS

- Empower Resiliency

NONPROFIT OR INCOME-QUALIFIED PROGRAMS

- Multi-family Building Efficiency for Affordable Housing
- Income-Qualified Multi-family Energy Appliance Upgrades
- New Construction Affordable Housing Incentives
- Nonprofit Energy Savings Program

To learn more about available MN programs, visit

<https://www.xcelenergy.com/staticfiles/xcelenergy/Marketing/Files/MN-Business-Program-Summary.pdf>



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Resolution 2024-XXX Deny Variance at 15 3rd Ave SW

Background:

See attached staff report.

Recommendation:

The DRC and City Planner recommend denial of the variances to City Council based on the findings and conditions in the attached draft resolution.

Attachments:

1. Staff Report
2. Newby Variance Submittal
3. Resolution 2024-XXX Deny Variance at 15 3rd Ave SW



Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Deny Variances for Parking Setback and Curbing –
Corey Newby/15 3rd Ave SW

Request:	Applicant requests approval for parking setbacks and curbing variances.
Recommendation:	The DRC and City Planner recommend denial of the variances to City Council based on the findings and conditions in the attached draft resolution.
Recommended Motion(s):	Motion to forward and recommend denial of the variance requests, with findings and conditions suggested by city staff.

Request:

Corey Newby (the Applicant/Owner) requests approval of variances from parking setbacks in C-2 and curbing requirements for parking lots as depicted in the attached plans.



Location of former Divine Mercy Church and School Property owned by Applicant

Background and Project Description:

In November 2023, the applicant approached staff with interest in buying the Divine Mercy Catholic School property at 15 3rd Avenue SW. The Applicant intends to bring a mostly online auction business to Faribault and adapt the elementary school building on the subject property for online operations and a retail storefront. In April 2024, the Applicant successfully amended the comprehensive plan and zoning map to allow commercial uses under C-2, Highway Commercial zoning on the subject property.

The applicant is now coming forward with plans to occupy and use the property as intended. The requested variances are the Applicant's next step before submitting for site plan review.

Paper Size: 11"x17"

Table 1 – Variance Table

Variance Issue	Requirement	Proposed	Variance
Front setback for off-street parking and loading areas (Sec 11-100, Table 11-2)	10-foot setback from property line	0-foot setback	10 feet
Curbing (Sec 8-110(A))	Drives, landscape islands, and parking/maneuvering areas shall have concrete curbing around perimeter	No curbing	No curbing

The applicant did provide a narrative behind the variance requests, citing the historic character of the property for its uniqueness and the comprehensive plan for supporting small businesses. He also touched on traffic flows, drainage, and disturbance to the neighborhood. The full narrative by the applicant may be found in attachments.

Discussion:

The variances proposed by the applicant are not consistent with the planning and zoning aspects of the City of Faribault’s Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

Variance Summary

- In general, many of the Applicant’s main points for the variance criteria centered on the historic use and character of the property, how construction would be a disturbance for the neighborhood, and how the requirement is a strain on small business which is against the Comprehensive Plan.

The main points for having parking lot setbacks are: keeping cars away from public ROW (and potentially overhanging into it), keeping space between the parking lot and the road for landscape and screening, and to provide a more pleasant aesthetic appeal to passersby and neighbors. The main points for having curbing around parking lots are: keeping cars from rolling or driving over property line/ROW, keeping cars from destroying landscaping adjacent to parking areas, keeping cars and nature from expeditiously fraying pavement edges and creating debris, and helping collect and direct drainage and run off. The Applicant does not attempt to make any compromise of the code requirements in favor of preserving the character or history of the property, which is not a valid point. The historic church is not material to the request and would only be material if there was an alteration to the church itself. If the applicant were to propose a compromise, i.e. providing a partial setback or

The Comprehensive Plan does have principles, goals, objectives, and policies that address development, but none of them allude to giving small businesses variances when they request them. One of the core guiding principles cited by the Applicant is “remove or minimize barriers and create or strengthen opportunities for all individuals, businesses, industries, organizations, and services to succeed.” However, the ordinance is a requirement that City Council put in place as a minimum level of expectation for development. While the existing areas are not curbed and are too close to the property line, the Applicant is changing the use of the property from an institutional and school use to a commercial and retail use, along with converting a school yard into a parking lot.

In summary, the variance does not meet the standards for a practical difficulty. A more detailed breakdown by criteria may be found in the draft resolution.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed variances on August 20, 2024 recommended denial of the variances.

Public Comment. The City Planner received no public comment prior to publishing this report. Notification for this item was published in the paper on August 22, 2024 and letters sent to property owners within 350-feet on August 21, 2024.

Recommendation:

The DRC and City Planner recommend denial of the variances to City Council based on the findings and conditions in the attached draft resolution.



APPLICATION FOR REQUESTED ACTION
Variance

Planning Case # _____
Filing Fee _____
Hearing Date _____

SITE ADDRESS 15 3rd Ave SW, Faribault, MN, 55021

APPLICANT Corey Newby E-MAIL coreynewby@gmail.com

PHONE 952-460-0055 (H) _____ (W) _____ (FAX) _____

APPLICANT ADDRESS 9594 202nd St W, Lakeville, MN 55044

OWNER (if other than applicant) _____

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

OWNER'S ADDRESS _____

LEGAL DESCRIPTION Lot Block 4 of SOUTHERN ADD

ACREAGE/SIZE OF PROPERTY 2 acres

CURRENT ZONING Commercial 2

EXISTING USE OF PROPERTY None

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

IDENTIFY ALL ADJACENT LAND USES Institutional and Residential

SIGNATURE OF APPLICANT Corey Newby DATE 7/31/2024
(Must submit proof of property control)

SIGNATURE OF THE OWNER Corey Newby DATE 7/31/2024
(If other than the applicant)

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

VARIANCE
Required Submittals

☐ **Site plan**

- ☐ Drawn to scale, with scale noted
- ☐ Date and North arrow
- ☐ Boundaries and dimensions shown graphically
- ☐ Location of any streets, public trails, railroads, or waterways
- ☐ Location of existing and proposed structures, with distance from property lines noted
- ☐ Location and dimensions of existing and proposed off-street parking and loading spaces, with distance from property lines noted (when applicable)

☐ **Required supplemental information**

- ☐ Written summary stating the specific variation requested, giving distances as needed
- ☐ Written summary stating exceptional conditions/peculiar difficulties which make the variance necessary
- ☐ Written statement as to why you feel a variance should be granted
- ☐ Other information as required

☐ **Filing fee**

☐ **SIGNATURE OF APPLICANT** Corey Newby **DATE** 7/31/2024

Planning Case # _____

Please answer the following questions as they relate to your specific variance request:

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?

Yes (☒) No (☐) Why or why not?

It doesn't affects the site and/or ordinance in any way.

It only keeps disturbance down

2. In your opinion, is the variance consistent with the comprehensive plan?

Yes (☒) No (☐) Why or why not?

It cuts out un needed step and stain on a small business

It helps build up the core values of the comprehensive plan

3. In your opinion, does the proposal put property to use in a reasonable manner?

Yes (☒) No (☐) Why or why not?

This property has been this way for almost 70 years with no issues.

Helps save the first catholic church in Faribault, historic preservation is a must.

4. In your opinion, are there circumstances unique to the property?

Yes (☒) No (☐) Why or why not?

This is a historic property from 1856. Less alterations the better. It is also in need of great re pair and money should be focused on that,

5. In your opinion, will the variance maintain the essential character of the neighborhood?

Yes (☒) No (☐) Why or why not?

It is less disturbance this way

The original character has been this way since 1954, would like to keep it.

6. In your opinion, is the variance requested the minimum variance which would alleviate the practical difficulty?

Yes (☒) No (☐) Why or why not?

By altering the current parking lot will change drainage and disrupt the land that has been this way for 70 years.

7. In your opinion, do the economic conditions alone constitute the practical difficulty?

Yes (☐) No (☒) Why or why not?

Its a 150+ year established historic property, less change the better.

By changing current conditions will leave less room for growth and disturb the current community use of playgrounds.

The City Council must make an affirmative finding on all of the seven criteria listed above in order to grant a variance. The applicant for a variance has the burden of proof to show that all of the criteria listed above have been satisfied.

The undersigned certifies that they are familiar with application fees and other associated costs, and also with the procedural requirements of the City Code and other applicable ordinances.

Applicant's Signature:

Corey Newby

Date:

7/31/2024

SI PLAN

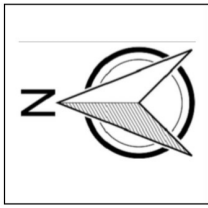
112 2nd Ave SW

Faribault, MN 55021

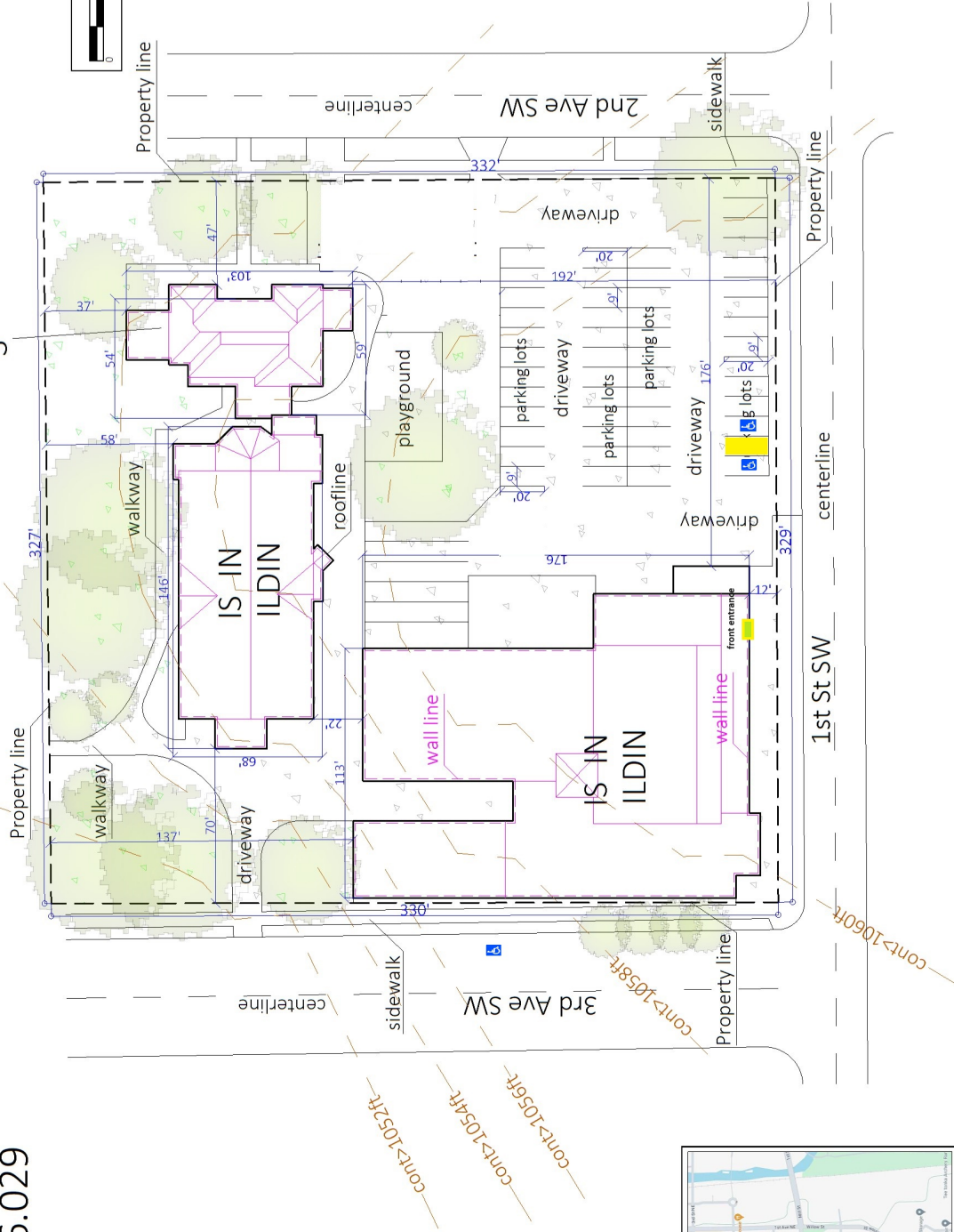
Parcel ID: 18.31.4.26.029

Lot area: 2 Acres

Paper Size: 11"x17"



No.112
IS IN
S



VICINITY MAP

Urban Flea Market Parking Lot Variance - The Greater Good

I am requesting a Parking lot Variance, including setbacks and curbing. The uniqueness and age of this property along with the comprehensive plan warrant and make these variances necessary.

If setbacks are put into effect future use of remaining property becomes an issue for off street parking requirements. It also keeps the existing flow of traffic and drainage the same as it has been since 1958. Traffic and drainage were highlighted by the city engineer as the 2 main concerns. By using this variance we eliminate these 2 issues.

Variance also creates less disturbance to the neighborhood while maintaining the current essential character of the neighborhood. Disturbance was also a big worry for city staff during the rezoning process.

Most importantly it follows the guidelines of the comprehensive plan.

1. **Foster a strong sense of community** among all people and constituencies in Faribault.
2. **Identify, protect, enhance, and celebrate our iconic and historic sites and architecture** as well as our significant natural areas, which define our sense of place.
3. **Remove or minimize barriers and create or strengthen opportunities for all individuals, businesses**, industries, organizations, and services to succeed.
4. **Encourage innovation**, creativity, **flexibility**, and **openness to new ideas and positive change** in all sectors of the community.
5. **Strive for excellence in all sectors of the community**

The above demonstrates its not just about economics. It's about the future use of the property. It's about following the comprehensive plan and finding the greater good for the community. It's about maintaining the first catholic church in Faribault. The city is built on historic preservation. We should continue to follow it.

The benefits of this variance greatly outweigh any if any negative impacts. Lets implement "The Vision to 2040 and The Comprehensive Plan" and I can start impacting this community!

Supporting Doc

I've included the original concepts where city planner had suggested setback variance and stall size variance for the parking lot. It also demonstrates the importance of the variances to allow for expansion when the other buildings are ready for use.

By keeping the current set back, we can eliminate the stall size variance. Adding the curbing variance allows for more room in the parking lot if an island in future is added. It also eliminates any drainage issues that the city engineer was concerned about. Drainage was a hot topic this year for Faribault.

Conditional Use Permit

Please see the attached report from the December 4th Planning Commission workshop.

Planning Commission Workshop December 4th, 2023 Summary

At the December 4th Planning Commission Workshop, the City Planner presented the business and subject property concept. Cory Newby followed with a presentation of their own. The reaction from the Planning Commission to the proposed flea market use was mixed and included discussion on traffic, parking, the viability of the use, the current state of the buildings, and consideration of what the property should or should not be going into the future. Planning Commission requested Cory Newby work with staff on establishing more details regarding parking and use of the structures on the property.

Planning Commission Workshop December 18th, 2023

Cory Newby submitted new documents with additional details and a preliminary site plan for parking, which are attached to this report. City staff are concerned about utilizing the existing paved area on-site and converting into efficient and useable parking for the proposed (or any potential) business. The initial parking plan provided by Cory Newby did not adequately provide parking improvements expected with a change of use, so the City Planner suggests, and Cory Newby supports, a potential parking layout as shown below and in the attachments.

Space: ~18,000 sq ft

- Retail ~12,000 sq ft (Open to Public)
- Storage/Limited Processing ~6,000 Sq Ft (Not Open to Public)

Retail: 1 Space per 300 sq ft = 40 spaces

Storage/Limited Processing: 1 Space per 1,000 sq ft = 6 spots

Total Spaces Needed: 46

Based on the preliminary calculations from Cory Newby and the preliminary parking improvement plan, adequate parking exists for the uses proposed. Although the UDO does not specifically account for storage and processing areas for a business like this, the City Planner sees the proposed 1 space per 1,000 sq ft as reasonable for discussion. With the possibility of 100 parking spaces provided on-site, the ratio of parking spaces to building area is around 1 space per 225 sq ft of useable space, as noted by Cory Newby above and attached. This is a higher ratio of parking than generally required for retail uses elsewhere in the city. Against the total existing building area, including parts Cory Newby is not proposing to use, would raise the ratio to approximately 1 space per 335 square feet.

In addition to the building use and parking calculations, Cory Newby provided a rough traffic impact analysis (see attached). The City Engineer did not review the analysis before writing this report, so initial feedback is unavailable.

As this project moves forward, the City Planner recommends a conditional use permit that is specific and comprehensive in terms of conditions: what is required, which buildings/spaces are used for the proposed business, if an annual review is required, etc. These conditions are not atypical compared to conditional uses approved in other jurisdictions. If the proposed development does not adhere to the conditions, enforcement of the conditions could be challenging for city staff and the business operator.

K:\Common Share\Projects\2023\Preliminary and Other Projects\112 2nd Ave NW - Urban Flea Market\12.18.23 PC\Review 1

CITY OF FARIBAULT

RESOLUTION #2024-XXX

DENY VARIANCE AT 15 3RD AVE SW

WHEREAS, Corey Newby (the Applicant/Owner) requests variances from parking setbacks and curbing requirements at 15 3rd Ave SW; and

WHEREAS, the property described in the above recitals and graphically depicted in Exhibit A are hereinafter referred to as the subject property; and

WHEREAS, the Applicant requests maintaining the existing extent of pavement in an area proposed to be a parking lot, resulting in a setback of zero (0) feet from the property line where a thirty (10) foot setback for off-street parking is required under Appendix B UDO, Chapter 11, Article 1, Sec 11-100, Table 11-2, as depicted in Exhibit B; and

WHEREAS, the Applicant requests maintaining the existing pavement in an area proposed to be parking with no curb around the perimeter of the parking lot, resulting in no curbing around the proposed parking area where perimeter curbing is required under Appendix B UDO, Chapter 8, Article 2, Sec 8-110(A), as depicted in Exhibit B; and

WHEREAS, City Staff has completed a review of the application and made a report to the Planning Commission, as depicted in Exhibit C; and

WHEREAS, the Planning Commission, on September 3, 2024, following proper notice, held a public hearing regarding the requests, and following said public hearing made findings and recommended that the City Council deny the requested variances; and

WHEREAS, following said public hearing, the Planning Commission recommended denial 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 applicant claims that the variances do not impact the site and ordinance in any way and not putting the curb in or removing some of the pavement to establish a setback would keep disturbances down.

The criteria asks for details on how the variance is in harmony with the purpose or intent of the ordinance, which the Applicant does not provide. The main points for having parking lot setbacks are: keeping cars away from public ROW (and potentially overhanging into it), keeping space between the parking lot and the road for landscape and screening, and to provide a more pleasant aesthetic appeal to passersby and neighbors. The main points for having curbing around parking lots are: keeping cars from rolling or driving over property line/ROW, keeping cars from destroying landscaping adjacent to parking areas, keeping cars and nature from expeditiously fraying pavement edges and creating debris, and helping collect and direct drainage and run off. The Applicant does not attempt to make any compromise of the code requirements in favor of preserving the character or history of the property, which is not a valid point. If the applicant were to propose a compromise, i.e. providing a partial setback or establishing curbing in areas where parking would be near to the public ROW, City Staff might see this as an attempt to have the request be in harmony with the ordinance, but that is not the case. The applicant does cite drainage as a reason to not have curbing, but has provided no data or plans showing how drainage is already dealt with on-site and how a lack of curbs don't result in drainage spilling into the public ROW.

Due to the largely residential character surrounding the subject property, staff sees all the main points above as critical for maintaining compatibility between the new use of the paved

area as a parking lot and the adjacent properties. The variances requested by the applicant are not in harmony with the general purposes and intent of the City's ordinances.

2. The variance is consistent with the Comprehensive Plan.

Finding: The property is guided for commercial land use per the Comprehensive Plan and the proposed use of the land is for a retail business. The applicant claims that the variances cut out an unneeded step and strain on small business and help build up the core values of the comprehensive plan. The Applicant listed the core guiding principles in the comprehensive plan to support their requests.

The Comprehensive Plan does have principles, goals, objectives, and policies that address development, but none of them allude to giving small businesses variances when they request them. One of the core guiding principles cited by the Applicant is "remove or minimize barriers and create or strengthen opportunities for all individuals, businesses, industries, organizations, and services to succeed." However, the ordinance is a requirement that City Council put in place as a minimum level of expectation for development. While the existing areas are not curbed and are too close to the property line, the Applicant is changing the use of the property from an institutional and school use to a commercial and retail use, along with converting a school yard into a parking lot. The City regularly deals with business and property owners moving into older parts of the City where the property owner is required to update much of their property, which usually includes the parking lot, up to current code. Most of these projects are shifting from commercial to commercial uses. Some of these projects are not complete updates, as the amount and cost of the updates must be proportional to the overall improvements of the property.

City Staff does not see how the variance requests comply with the Comprehensive Plan.

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

Finding: The applicant claims that the property has been as-is for almost 70 years with no issues and that the variances help save the first catholic church in Faribault.

City Staff does not see the applicant's above reasonings as justification for the criteria of reasonable use. In a previous criteria, City Staff listed numerous reasons why a parking setback and curbing are good for development and help with compatibility. Providing curb around a parking lot or having parking setback from the public ROW are reasonable requirements contributing to compatibility with adjacent properties. The historic character of the church, while a generally important topic, does not extend to the proposed parking area and is not a valid point for this criteria. The applicant does propose to use the property as a commercial business, which is a use permitted by the ordinance, but commercial uses should be compatible with adjoining properties and be as compliant with code as possible. Use of part of the property as a parking lot without setbacks and curbing isn't reasonable and permitted by ordinance.

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 applicant claims that fewer alterations on a historic property from 1856 are better and that the money would be better spent on repairing the buildings.

The applicant's reasonings above fail to establish a unique circumstance that applies to the property. The Applicant bought the subject property, used previously as a church and

school, with the intent to use it as a commercial business. They requested and succeeded in rezoning the property from P/I, Public Institutional to C-2, Highway Commercial. Previous discussions with the Applicant include phasing over time to use all of the subject property, including structures. The historic church is not material to the request and would only be material if there was an alteration to the church itself. Additionally, the applicant cannot claim that repairs to the building override necessary improvements outside of the structure, as the public is expected to use interior and exterior parts of the property and the parking lot is part of the outward property appearance. The property owner is also required to maintain the building as a base expectation prior to opening to the public. The circumstances stated by the applicant are not grounds for a variance, with circumstances created by the applicant during the process of buying and getting zoning entitlement for the subject property.

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

Finding: The applicant claims that the variance would result in less disturbance and that they would prefer to keep the original character.

The Applicant did not provide any additional information on how parking lot curbing and setbacks would be a significant break from the essential character of the area. As stated above, the proposed parking area is not part of the historic character for the property. While property redevelopment is generally disruptive, it is not something that happens for very long and does not impact the essential character of the neighborhood on its own. City Staff maintains that the required curb and parking setback would do more to protect the essential character of the neighborhood, which is primarily residential.

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

Finding: The applicant claims that the variance would result in less disturbance and that they would prefer to keep the original character.

Previous findings established that the applicant's points do not adequately address variance criteria, which mean there is no practical difficulty experienced by the Applicant. In City Staff's report to the Planning Commission (Exhibit C), the City Planner demonstrates how the applicant could develop a parking area in roughly the same location without needing a parking setback variance. Additionally, the improvements can be done without significantly impacting other elements on the subject property, like the playground. City Staff does not see a minimum necessary variance in the applicant's proposal.

7. Economic conditions alone do not constitute practical difficulties.

Finding: The applicant claims that the variance would be better due to less change for the historic property and less disturbance for the neighborhood using the subject property's playground. Additionally, a change to the current conditions of the property may leave less growth for the business.

The argument regarding historic character is thrown out in previous criteria and does not apply. The neighborhood's use of the playground is not a valid reason for denying the variance as the property is not a public park and is immaterial to the variance at hand. The argument regarding a lack of room for growth if the parking area were to be compliant with ordinances is debunked in City Staff's report and diagram within Exhibit C. Based on the arguments presented by the applicant and previous discussions with the Applicant, City Staff is not convinced that the request is without economic conditions. In a previous criteria, the Applicant stated that they would rather put more money into the building for repair. This point is the most applicable to the variance criteria, but sadly cannot be the only condition to the property or circumstance to be granted a variance.

WHEREAS, the City Council, at a public meeting, on _____, 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: Denial of the Requested Variances. The City Council hereby denies the requested variances from Chapter 11, Article 1, Sec 11-100, Table 11-2 and Chapter 8, Article 2, Sec 8-110(A), of the City's Unified Development Ordinance. Said denial is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2. Compliance. The City Council authorizes the Mayor, City Administrator, City Planner, 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: _____, 2024

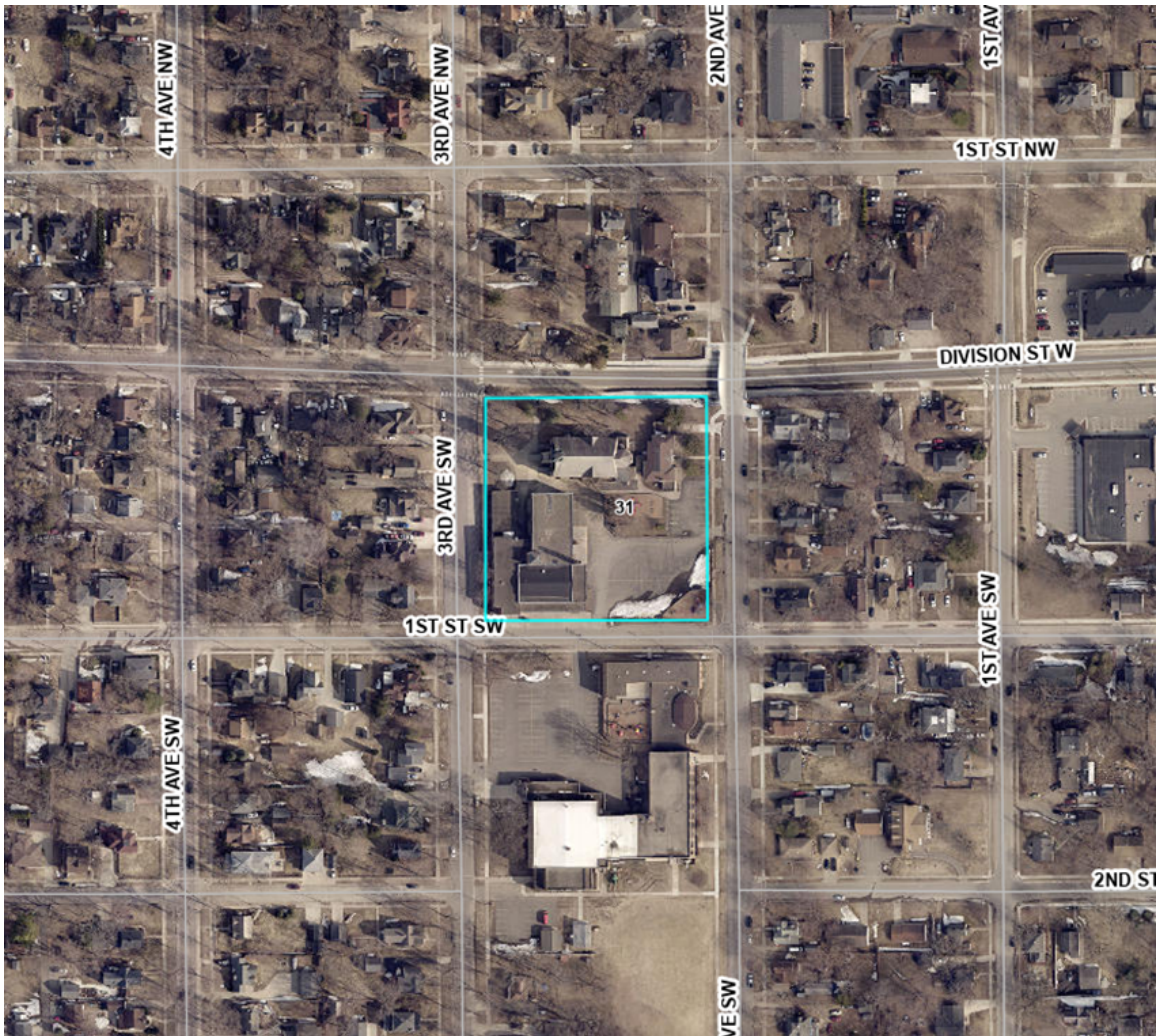
Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A Property Description



Blue Outline = Subject Property

PID 18.31.4.26.029 – 15 3rd Ave SW

Exhibit B Depiction of Variance

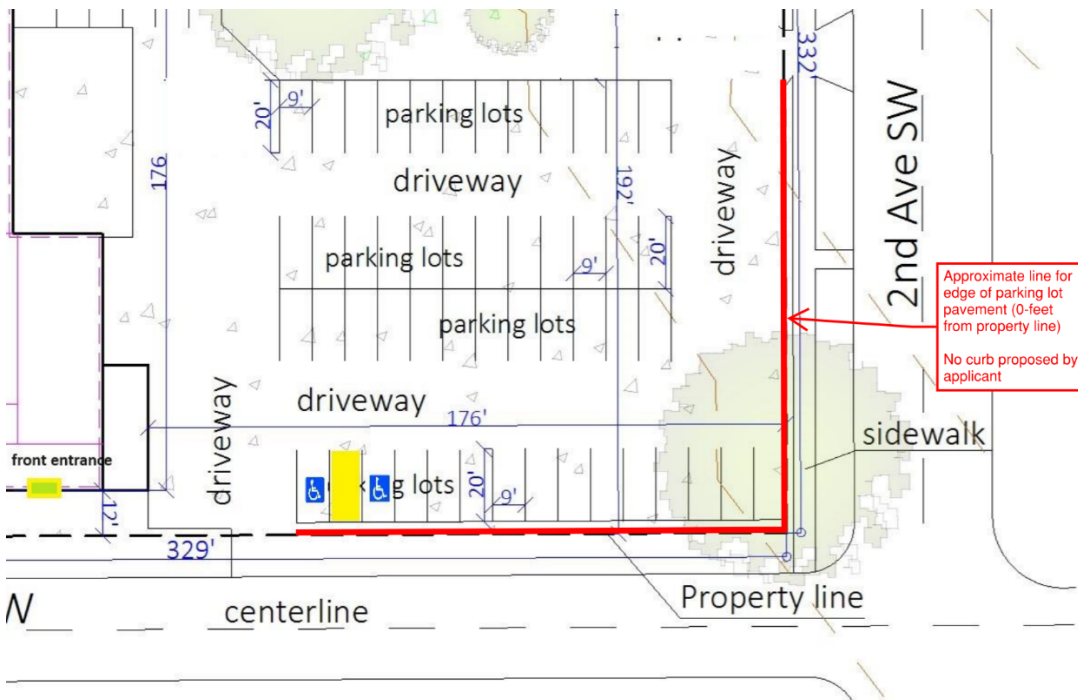
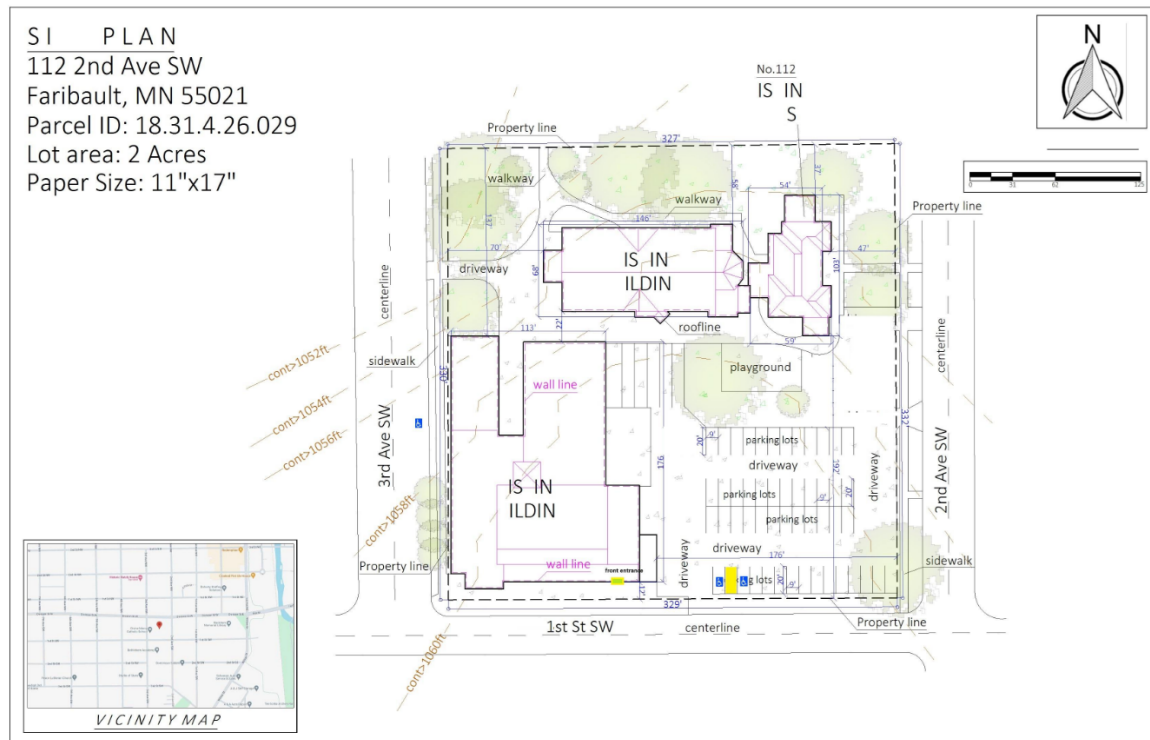


Exhibit C
Staff Report from Planning Commission

(insert document after this page)



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: City of Faribault/JNJ Properties - Comprehensive Plan Amendment; Zoning Map Amendment

Background:

See the attached staff report.

Recommendation:

See the agenda sub-items.

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
MEETING DATE: September 3, 2024
SUBJECT: Approve Comprehensive Plan and Zoning Map Amendments – City of Faribault/500 and 400 Blocks of 20th St NW

Request:	City of Faribault requests comprehensive plan and zoning map amendments for certain properties in the 500 and 400 blocks of 20 th St NW from I-2 to R-2.
Recommendation:	The City Planner recommends approval of the requests based on the findings and conditions in the attached draft resolution and ordinance.
Recommended Motion:	Motion to forward and recommend approval of the comprehensive plan and zoning map amendments to City Council, with findings and conditions suggested by city staff.

Request:

The City of Faribault (the Applicant), set in motion by the initial request from Yojan Rodriguez of JNJ Properties of Faribault LLC, requests comprehensive plan and zoning map amendments to change certain properties in the 500 and 400 blocks of 20th St NW (PIDs 18.19.3.77.012, 18.19.3.77.013, 18.19.3.77.014, 18.19.3.77.015, 18.19.3.77.016, and 18.19.3.77.017) from guided land use designation industrial to established residential neighborhood and zoning districts from I-2, Havy Industrial to R-2, Low Density Residential.



Location along 20th St NW

Background:

Yohan Rodriguez of JNJ Properties of Faribault LLC made the initial request for one property of the subject properties to be reguired and rezoned to permit residential development. At the August 19, 2024 Planning Commission work session, the Planning Commission preliminarily discussed the request and encouraged them to consider expanding and including the nearby residential properties in collaboration with a City effort to fix nonconforming situations for the surrounding residential properties encumbered by the I-2 zoning. Rodriguez agreed and City Staff took over the proposal.

Project Description:

The subject properties include Lots 92 through 110 of Auditor's Plat Number I of SW ¼ Section 19 Township 110 North Range 20 West. Most of the properties included are developed with single-family homes built between the 1920s and 1940s. City Staff are unable to find when the properties were zoned industrial, but surmises based on past comprehensive plans that the area was guided and rezoned to encourage future industrial redevelopment west of 4th Ave NW.

Discussion:

The proposed comprehensive plan and zoning map amendments are consistent with the planning and zoning aspects of the City's Comprehensive Plan and Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

Comprehensive Plan Amendment

- 1. Summary.** The subject properties are primarily existing residential uses that will benefit from a comprehensive plan guided use designation consistent with their current use. A guided land use that aligns with the existing use of the property will support the associated zoning map amendment and lead to easier processes for property owner investment into the subject properties. The initial idea behind the land use designation for most of the land in the area to industrial was to facilitate industrial redevelopment. The City is unaware of any plans in the area at this time. This comprehensive plan amendment does not completely inhibit future redevelopment of the area, as the comprehensive plan and land use map may change with prevailing market conditions and so the city may see a future request to use some or all of the subject properties for a non-residential redevelopment plan. This comprehensive plan change is not intended to keep a future City Council from amending the guided land use in line with changing market conditions. More details regarding meeting amendment criteria may be found in the associated resolution.

Zoning Map Amendment

- 1. Summary.** The surrounding properties are mostly industrial uses and zoned appropriately for said uses. More recent development on adjacent properties do adhere to a larger setback from residential uses, as required in I-2 zoning, and the change in zoning doesn't significantly change those requirements as the increased setback is triggered by residential use or zoning. While placing industrial zones and uses right next to residential zones and uses is more often a compatibility issue, the zoning code does provide larger setback buffers and requires additional screening and landscape to soften the relationship between said uses. This does place a greater burden on the adjoining properties, but the majority of the subject properties are currently developed as single-family homes, so the burden already exists. Based on the increased zoning and site development requirements, the proposed zoning map amendment and the adjoining uses can be compatible. More details regarding

meeting amendment criteria may be found in the associated ordinance.

The majority of existing parcels included in this rezoning proposal are residential and cannot expand freely or be rehabilitated without additional approvals or uninhibited by limits for nonconforming land uses. The undeveloped parcel within the subject properties is between two single family homes, which a zoning map amendment to R-2 would allow a similar and compatible residential use.

Development Review Committee Recommendation. The DRC reviewed the initial request by JNJ Properties on August 6 with mixed reviews and no recommendations for Planning Commission leading up to the August 19 Planning Commission work session. In summary, the DRC could see merit in the request if it included additional residentially-used property nearby to alleviate the nonconforming status of residential properties zoned I-2. There are no current plans for future industrial expansion in the area, and the City sees a need for residential, so the proposal may be a benefit in the short term. However, the DRC had concerns about approving the request based on the shift becoming a barrier for future development, "spot zoning" between residential and industrial, and more residential on Highway 3, a major corridor for commercial and industrial traffic.

Public Comment. The City Planner received no public comment prior to publishing this report. Notification for this item was published in the paper on August 22, 2024 and letters sent to property owners within 350-feet on August 21, 2024.

MnDOT. The City Planner notified MnDOT of the proposed zoning map amendment because the subject properties abut Highway 3. The City Planner received a response on August 27 stating:

"... D6 Planning will not have any issue or comments for this. The existing uses appear to already match the switch to residential R2, and there are no proposed redevelopments here at this time. If there ever were new developments/redevelopments here, we would revisit driveway spacing/access and water drainage. But with none of that happening at this time, this zoning change should be of no impact to MnDOT."

Recommendation:

The City Planner recommends approval of the comprehensive plan and zoning map amendments based on the findings and conditions in the attached draft ordinance and resolution.



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Resolution 2024-XXX Approve a Comprehensive Plan Amendment to Guide Certain Properties in 500 and 400 Blocks of 20th St NW

Background:

See the main agenda item for this project.

Recommendation:

The City Planner recommends approval of the request based on the findings and conditions in the attached draft resolution.

Attachments:

1. Resolution 2024-XXX Approve a Comprehensive Plan Amendment to Guide Certain Properties in 500 and 400 Blocks of 20th St NW

CITY OF FARIBAULT

RESOLUTION #2024-XXX

APPROVE A COMPREHENSIVE PLAN AMENDMENT TO GUIDE CERTAIN PROPERTIES IN 500 AND 400 BLOCKS OF 20TH ST NW FOR ESTABLISHED RESIDENTIAL NEIGHBORHOOD

WHEREAS, the City of Faribault (the Applicant), set in motion by the initial request from Yojan Rodriguez of JNJ Properties of Faribault LLC (hereinafter referred to as "JNJ Properties"), requests a comprehensive plan amendment to change the guided land use for certain properties in the 500 and 400 blocks of 20th St NW (PIDs 18.19.3.77.012, 18.19.3.77.013, 18.19.3.77.014, 18.19.3.77.015, 18.19.3.77.016, and 18.19.3.77.017) from industrial to established residential neighborhood; and

WHEREAS, the properties described in the above recitals and graphically depicted in Exhibit A are hereinafter referred to as the subject property; and

WHEREAS, the City of Faribault, in a separate application, also requests a zoning map amendment for the subject properties from I-2, Heavy Industrial to R-2, Low Density Residential; and

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

WHEREAS, the Planning Commission, on September 3, 2024, following proper notice, held a public hearing to review the request, listen to public comments, and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommends City Council approve the requested comprehensive plan amendment to guide the subject properties for established residential neighborhood use based on the following written findings:

- 1. The comprehensive plan amendment review process provided adequate opportunity for public review and comment on the requested amendment. The City sent public hearing notices to all property owners within 350 feet of the subject property.*
- 2. Approval of the requested amendment is in the best interest of the community's general health, safety, and welfare. The subject properties are primarily existing residential uses that will benefit from a comprehensive plan guided use designation consistent with their current use. A guided land use that aligns with the existing use of the*

property will support the associated zoning map amendment and lead to easier processes for property owner investment into the subject properties. The initial idea behind the land use designation for most of the land in the area to industrial was to facilitate industrial redevelopment. The City is unaware of any plans in the area at this time. This comprehensive plan amendment does not completely inhibit future redevelopment of the area, as the comprehensive plan and land use map may change with prevailing market conditions and so the city may see a future request to use some or all of the subject properties for a non-residential redevelopment plan. This comprehensive plan change is not intended to keep a future City Council from amending the guided land use in line with changing market conditions.

3. *The existing and proposed infrastructure, including sanitary sewer, water, stormwater, and transportation, associated with the subject property are suitable for existing residential neighborhood use.*

WHEREAS, the City Council held a public meeting on September 10, 2024, to consider the Applicant's comprehensive plan amendment request; and

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

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

Section 2: Approval of the Requested Comprehensive Plan Amendment. The City Council hereby amends the comprehensive plan to guide the subject property described in the above recitals and depicted in Exhibit A for establish residential neighborhood use.

Section 3: Change to the Official Land Use Plan. The official land use plan, which is part of the City of Faribault comprehensive plan, shall not be republished to show the approved comprehensive plan amendment. Still, the City Planner shall appropriately mark the official land use plan on file with the City Planning and Zoning Division to indicate the amendment.

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

Section 5: Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: September 10, 2024

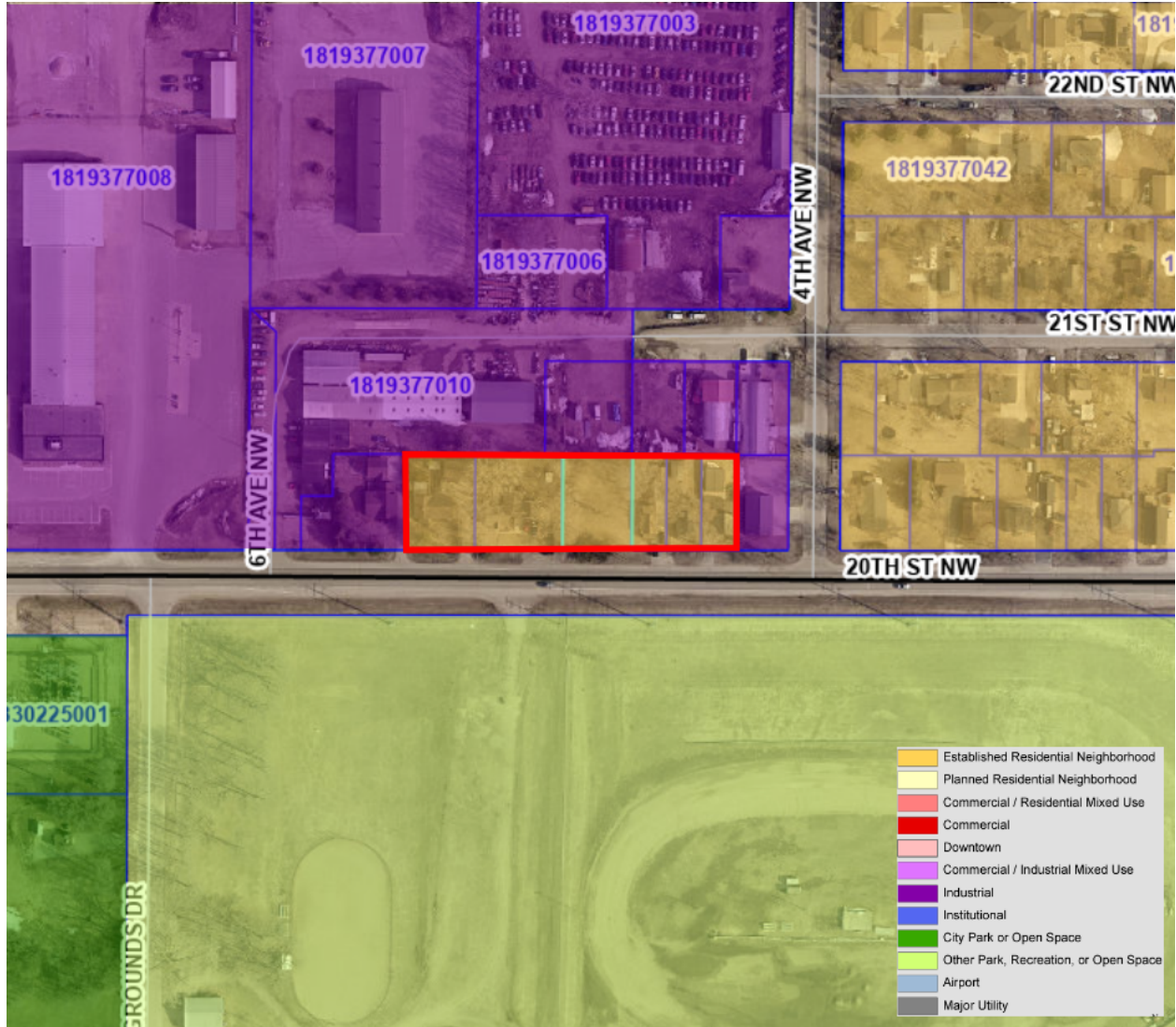
Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

EXHIBIT A
Graphic Depiction of Subject Property to be Guided for
Commercial/Industrial Mixed-Use



Properties to be Reguided:

- PID # 18.19.3.77.012 – 508 20th St NW
- PID # 18.19.3.77.013 – 506 20th St NW
- PID # 18.19.3.77.014
- PID # 18.19.3.77.015 – 414 20th St NW
- PID # 18.19.3.77.016 – 412 20th St NW
- PID # 18.19.3.77.017 – 410 20th St NW



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Ordinance 2024-XX Approve a Zoning Map Amendment in 500 and 400 Blocks of 20th Street NW

Background:

See main agenda item.

Recommendation:

The City Planner recommends approval of the request based on the findings and conditions in the attached draft ordinance.

Attachments:

1. Ordinance 2024-XX Approve a Zoning Map Amendment in 500 and 400 Blocks of 20th Street NW

**CITY OF FARIBAULT
ORDINANCE No. 2024-XX**

**APPROVE A ZONING MAP AMENDMENT FOR CERTAIN PROPERTIES IN 500
AND 400 BLOCKS OF 20TH STREET NW TO R-2, LOW DENSITY
RESIDENTIAL DISTRICT**

WHEREAS, the City of Faribault (the Applicant), set in motion by the initial request from Yojan Rodriguez of JNJ Properties of Faribault LLC (hereinafter referred to as "JNJ Properties"), requests a zoning map amendment to change the zoning districts for certain properties in the 500 and 400 blocks of 20th St NW (PIDs 18.19.3.77.012, 18.19.3.77.013, 18.19.3.77.014, 18.19.3.77.015, 18.19.3.77.016, and 18.19.3.77.017) from I-2, Heavy Industrial to R-2, Low Density Residential; and

WHEREAS, the properties described in the above recitals and graphically depicted in Exhibit A are hereinafter referred to as the subject property; and

WHEREAS, the Applicant, in separate applications, also requested a comprehensive plan amendment to guide the subject properties for established residential neighborhood use; and

WHEREAS, City Staff prepared a report to the Planning Commission; and

WHEREAS, the Planning Commission, on September 3, 2024, following proper notice, held a public hearing to review the request, listen to public comments, and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommends City Council approve the requested zoning map amendment based on the following written findings of the Planning Commission as required by Section 2-180 of the City's Unified Development Ordinance:

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

Finding: Assuming the preceding and associated comprehensive plan amendment is adopted, the Land Use Plan guides the subject properties for established residential neighborhood use, which is consistent with the proposed R-2, Low Density Residential district. In addition, the proposed zoning is consistent with existing residential land uses on the subject properties. This change does not completely inhibit future redevelopment of the area, as the comprehensive plan land use map may change with prevailing market conditions and so the city may see a future request to use some or all of the subject properties for a non-residential redevelopment plan. The associated comprehensive plan change is not intended to keep a future City Council from amending the guided land use in line with changing market conditions and therefore does not also inhibit Council from changing the zoning district.

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

Finding: It is in the public's best interest to ensure reasonable use of the subject properties. The subject properties are primarily existing residential uses that will benefit from a zoning district consistent with their current use. The proposed zoning map amendment will lead to easier processes for each property owner's investments into the subject properties and fix many nonconformities associated with having a single-family home in an industrial zoning district. While the long-term use of the area is likely to shift into industrial redevelopment, a change in the zoning map now does not completely inhibit future actions that facilitate use of some or all of the subject properties for non-residential development.

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

Finding: The surrounding properties are mostly industrial uses and zoned appropriately for said uses. More recent development on adjacent properties do adhere to a larger setback from residential uses, as required in I-2 zoning, and the change in zoning doesn't significantly change those requirements as the increased setback is triggered by residential use or zoning. While placing industrial zones and uses right next to residential zones and uses is more often a compatibility issue, the zoning code does provide larger setback buffers and requires additional screening and landscape to soften the relationship between said uses. This does place a greater burden on the adjoining properties, but the majority of the subject properties are currently developed as single-family homes, so the burden already exists. Based on the increased zoning and site development requirements, the proposed zoning map amendment and the adjoining uses can be compatible.

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 majority of existing parcels included in this rezoning proposal are residential and cannot expand freely or be rehabilitated without additional approvals or uninhibited by limits for nonconforming land uses. The undeveloped parcel within the subject properties is between two single family homes, which a zoning map amendment to R-2 would allow a similar and compatible residential use. Therefore, utilization of the subject property consistent with the existing residential uses is not reasonable under the current zoning.

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: There is a change in the character or trend of development since the existing zoning was placed on the property. The initial idea behind zoning most of the land in the area to I-2, Heavy Industrial

was to facilitate industrial redevelopment. The City is unaware of any plans in the area but did receive an initial request from JNJ Properties with an intent to place residential on the undeveloped parcel within the subject properties. In the absence of imminent plans, the City recognizes the current city-wide need for more housing. This zoning map amendment does not completely inhibit future redevelopment of the area, as the comprehensive plan land use map may change with prevailing market conditions and so the city may see a future zoning map amendment request to use some or all of the subject properties for a non-residential redevelopment plan. The associated comprehensive plan change is not intended to keep a future City Council from amending the guided land use in line with changing market conditions and therefore does not also inhibit Council from changing the zoning district.

WHEREAS, the City Council held a public meeting on September 10, 2024, to consider approval of the first reading of Ordinance 2024-XX; and

WHEREAS, the City Council also held a public meeting on September 24, 2024 to consider approval of the second reading of Ordinance 2024-XX; and

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

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

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

Section 2: Rezoning Approval. The City Council hereby rezones the subject property graphically depicted in Exhibit A to R-2, Low Density Residential. The effective date of the rezoning shall be as outlined in Section 5 of this resolution.

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

Section 4: Authorization to Take Additional Steps. The City Council authorizes and directs the Mayor, City Staff, and City Consultants to take any additional

steps and actions necessary and convenient to accomplish the intent of this ordinance.

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

First Reading: September 10, 2024

Second Reading: September 24, 2024

Publication Date: October 1, 2024

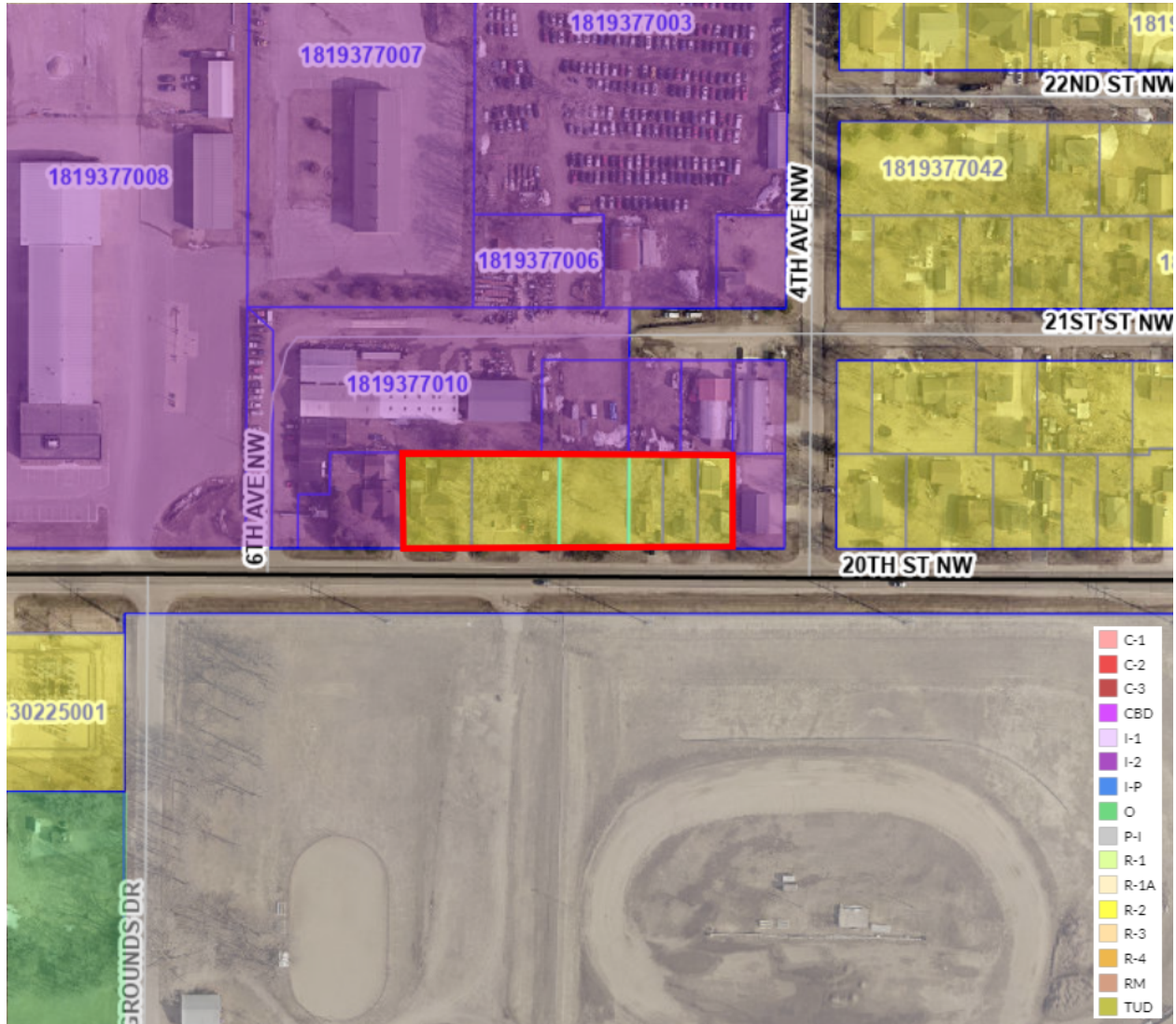
Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

EXHIBIT A:
Graphic Depiction of Subject Property to be Rezoned
to R-2, Low Density Residential



Area Circled in Red = Subject Properties

Properties to be Rezoned:

- PID # 18.19.3.77.012 – 508 20th St NW
- PID # 18.19.3.77.013 – 506 20th St NW
- PID # 18.19.3.77.014
- PID # 18.19.3.77.015 – 414 20th St NW
- PID # 18.19.3.77.016 – 412 20th St NW
- PID # 18.19.3.77.017 – 410 20th St NW



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Ordinance 2024-XX Vacate a Portion of Drainage and Utility Easement at 2343 14th St NE

Background:

See attached staff report.

Recommendation:

The DRC, City Engineer, and City Planner recommend approval of a partial easement vacation at 2343 14th St NE to City Council based on the findings and conditions in the attached draft ordinance.

Attachments:

1. Staff Report
2. Ordinance 2024-XX Vacate an Portion of Drainage and Utility Easement at 2343 14th St NE



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: September 3, 2024
SUBJECT: Approve a Partial Vacation of a Drainage and Utility Easement – Johnson Reiland/2343 14th St NE

Request:	Applicant requests approval of a partial easement vacation.
Recommendation:	The DRC, City Engineer, and City Planner recommend approval of a partial easement vacation at 2343 14 th St NE to City Council based on the findings and conditions in the attached draft ordinance.
Recommended Motion:	Motion to forward and recommend approval of a partial easement vacation at 2343 14 th St NE to City Council, with findings and conditions suggested by city staff.

Request:

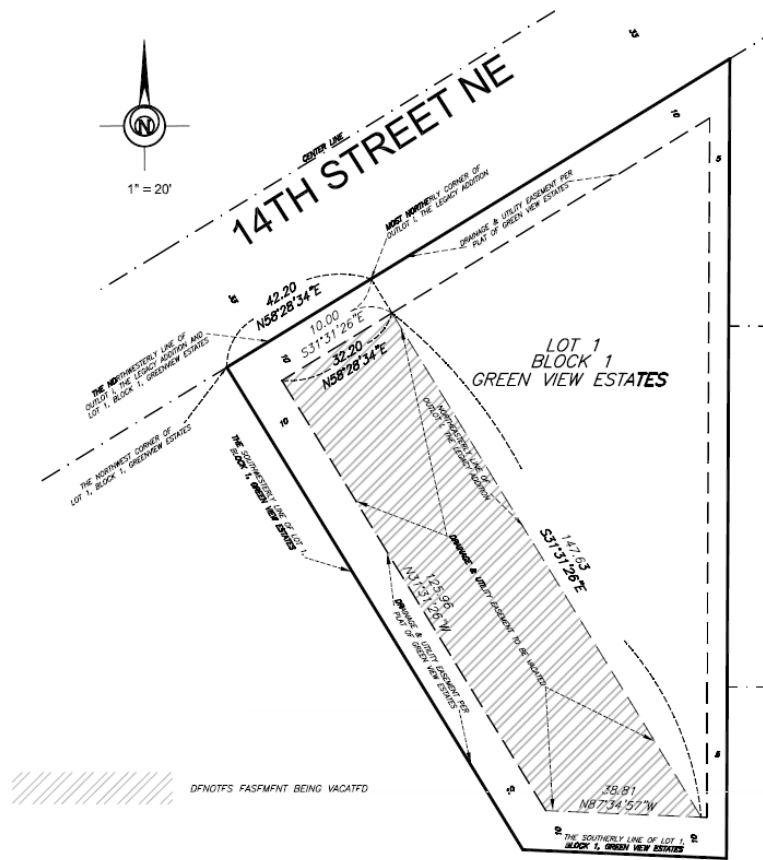
Johnson Reiland Builders & Remodelers (the Applicant /Developer) with an affidavit of consent from Shattuck-St. Mary's School (the Owner) requests approval of a partial easement vacation at 2343 14th St NE, southwest of the intersection of 14th St NE and Legacy Drive, as depicted in the attached plans.



Location along 14th St NE

Background:

The proposal is to partially vacate an easement platted in The Legacy Addition plat from 1996 and carried through with the Green View Estates plat in 2005. The easement encumbers much of the west and southwest portions of the lot.



Vacation Area

The vacation area is completely within LOT 1, BLOCK 1 of GREEN VIEW ESTATES.

Project Description:

The proposed area for vacating the drainage and utility easement is approximately 4,400 square feet.

Discussion:

The proposed vacation is consistent with the planning and zoning aspects of the City's Unified Development Ordinance. A detailed breakdown of how the proposal meets findings required by the Unified Development Ordinance may be found in the associated Ordinance.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed application on August 20, 2024, and recommended approval of the vacation.

Public Comment. The City Planner received no public comment prior to publishing this report. Notification for this item was published in the paper on August 22, 2024 and letters sent to property owners within 350-feet on August 21, 2024.

Recommendation:

The DRC, City Engineer, and City Planner recommend approval of a partial easement vacation at 2343 14th St NE to City Council based on the findings and conditions in the associated draft ordinance.

**CITY OF FARIBAULT
ORDINANCE No. 2024-XX**

**APPROVE VACATING A PORTION OF DRAINAGE AND UTILITY EASEMENT AT 2343
14TH ST NE**

WHEREAS, Johnson Reiland Builders & Remodelers, (the "Applicant"), on behalf of Shattuck-St. Mary's School (the "Owner"), requests vacating a portion of public drainage and utility easements near 2343 14th St NE, depicted and legally described in Exhibit A; and

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

WHEREAS, the Planning Commission, on September 3, 2024, 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: The easement is completely within the owner's property and will not impact private rights of other properties or property owners.

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

Finding: The easement is completely within the owner's property and the public will not suffer any loss or inconvenience with 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: No objections to the easement vacation were received.

WHEREAS, the City Council conducted the first reading of this ordinance on September 10, 2024, and the second reading of this ordinance on September 24, 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 Drainage and Utility Easement. 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 drainage and utility easements situated in the City of Faribault, County of Rice, State of Minnesota, legally described 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:	September 10, 2024
Second Reading:	September 24, 2024
Summary Publication Date:	October 1, 2024

Faribault City Council

Kevin F. Voracek, Mayor

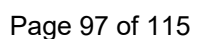
ATTEST:

Jessica L. Kinser, City Administrator

Exhibit A
Easement Vacation Legal Description

EASEMENT VACATION DESCRIPTION

That part of Lot 1, Block 1, GREEN VIEW ESTATES, Rice County Minnesota, described as follows: Beginning at the Northwest corner of said Lot 1; thence North 58 degrees 28 minutes 34 seconds East, along the northwesterly line of said Lot 1, a distance of 42.20 feet; thence South 31 degrees 31 minutes 26 seconds East, a distance of 10.00 feet to the point of beginning of the land to be described; thence South 31 degrees 31 minutes 26 seconds East, a distance of 147.63 feet to a point that is distant 10.00 feet northerly measured at right angles to the South line of said Lot 1; thence North 87 degrees 34 minutes 57 seconds West, parallel to said South line a distance of 38.81 feet to a point that is distant 10.00 feet northeasterly, measured at right angles to the southwesterly line of said Lot 1; thence North 31 degrees 31 minutes 26 seconds West, parallel to said Southwesterly line, a distance of 125.96 feet to a point that is distant 10.00 feet Southeasterly, measured at right angles to the Northwesterly line of said Lot 1; thence North 58 degrees 28 minutes 34 seconds East, parallel to said northwesterly line, a distance of 32.20 feet to the point of beginning.





REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Ordinance 2024-XX Approve Zoning Map Amendments for 818 8th Ave NW and 214 14th St NE

Background:

See attached staff report.

Recommendation:

The DRC and City Planner recommend approval of zoning map amendments for 812 8th Ave NW and 214 14th St NE to City Council based on the findings in the attached draft ordinance.

Attachments:

1. Staff Report
2. Ordinance 2024-XX Approve Zoning Map Amendments for 818 8th Ave NW and 214 14th St NE



Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community and Economic Development Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Approve Zoning Map Amendments – City of Faribault/812 8th Ave NW & 214 14th St NE

Request:	City request zoning map amendments for 812 8 th Ave NW and 214 14 th St NE.
Recommendation:	The DRC and City Planner recommend approval of zoning map amendments for 812 8 th Ave NW and 214 14 th St NE to City Council based on the findings in the attached draft ordinance.
Recommended Motion:	Motion to forward and recommend approval of zoning map amendments for 812 8 th Ave NW and 214 14 th St NE to City Council, with findings suggested by city staff.

Request:

City of Faribault (the Applicant/Owner) requests zoning map amendments for 812 8th Ave NW (Water Treatment Plant) and 214 14th St NE (Wastewater Treatment Plant). The proposed zoning for each property is from R-2, Low Density Residential (Water Treatment Plant) and O, Open Space/Agricultural (Wastewater Treatment Plant) to P/I, Public/Institutional.



Blue Outline = Water Treatment Plant at 812 8th Ave NW
 Yellow Outline = Wastewater Treatment Plant at 214 14th St NE

Background and Project Description:

In early 2023, the City of Faribault completed a large zoning map amendment for multiple properties based on the Comprehensive Plan. The zoning map amendments focused on properties in the city that were used by institutions, governments, schools, and other similar uses and guided in the Comprehensive Plan for said uses. The zoning for these properties changed to P/I, Public Institutional to better reflect the Comprehensive Plan and their purpose and use. The Water Treatment Plant and Wastewater Treatment Plant are guided as Major Utilities in the Comprehensive Plan and not among the properties rezoned in 2023. To better reflect future plans for both properties, Public Works and CED departments are collaborating on a zoning map amendment for both city utility plants.

Discussion:

The proposed zoning map amendments are consistent with the planning and zoning aspects of the City's Comprehensive Plan and Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

Zoning Map Amendment

- 1. Summary.** The comprehensive plan shows the subject properties as major utility uses, which are permitted in P/I, Public/Institution. These zoning districts did not previously exist when the properties were zoned under existing districts, but P/I will ensure their critical operations continue into the future and in a compatible way with adjoining properties. More details regarding meeting amendment criteria may be found in the associated ordinance.

Development Review Committee Recommendation. The City's Development Review Committee (DRC) reviewed the proposed applications on August 20, 2024 and recommended approval of the amendments.

Public Comment. The City Planner received no public comment prior to publishing this report. Notification for this item was published in the paper on August 22, 2024 and letters sent to property owners within 350-feet on August 21, 2024.

MN DNR. The City Planner notified MN DNR of the proposed zoning map amendments because both subject properties are within shoreland overlay areas. The City Planner received a response on August 28 stating no concerns with the proposals.

Recommendation:

The DRC and City Planner recommend approval of zoning map amendments for 812 8th Ave NW and 214 14th St NE to City Council based on the findings in the attached draft ordinance.

**CITY OF FARIBAULT
ORDINANCE No. 2024-X**

APPROVE A ZONING MAP AMENDMENT FOR 818 8TH AVE NW AND 214 14TH ST NE

WHEREAS, the City of Faribault (the Applicant/Owner) requests zoning map amendments to change the zoning district of properties at 818 8th Ave NW and 214 14th St NE, from R-2, Low Density Residential to P-I, Public Institutional and O, Open Space/Agricultural to P-I, Public Institutional, respectively; and

WHEREAS, the properties described in the above recitals and graphically depicted in Exhibit A and Exhibit B are hereinafter referred to as the subject property; and

WHEREAS, City Staff prepared a report to the Planning Commission; and

WHEREAS, the Planning Commission, on September 3, 2024, following proper notice, held a public hearing to review the request, listen to public comments, and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommends City Council approve the requested zoning map amendment based on the following written findings of the Planning Commission as required by Section 2-180 of the City's Unified Development Ordinance:

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

Finding: The proposed zoning map amendment for the subject properties is consistent with the Comprehensive Plan as it matches the land use designation of major utility with the by-right uses in P/I.

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

Finding: The continued use of the existing properties for the Water Treatment Plant and Wastewater Treatment Plant are critical for continued city services. Both uses will function better under P/I, which is written to permit government buildings and essential services, and is therefore in the public interest.

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

Finding: The use of the subject properties under the proposed P/I district will continue to be what they currently are: the Water Treatment Plant and Wastewater Treatment Plant. The P/I district is written to allow institutional uses be compatible with adjoining zoning and uses. The current and future uses for these subject properties are compatible with existing uses nearby.

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

Finding: The proposed P/I district will bring the current uses and properties into more reasonable use and closer to compliance with city zoning and development codes. It is not reasonable to move either of the existing uses elsewhere within the city.

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 character of the property as city infrastructure buildings will not change with the proposal and is not a reflection of

changing market forces. It is a change that better reflects the zoning available now versus when the properties were last rezoned. The P/I district is a new zone from the Comprehensive Plan that provides a zoning designation that is better for institutions, government uses, and schools.

WHEREAS, the City Council held a public meeting on September 10, 2024, to consider approval of the first reading of Ordinance 2024-XX; and

WHEREAS, the City Council also held a public meeting on September 24, 2024 to consider approval of the second reading of Ordinance 2024-XX; and

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

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

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

Section 2: Rezoning Approval. The City Council hereby rezones the subject property graphically depicted in Exhibit A and Exhibit B to P/I, Public/Institutional. The effective date of the rezoning shall be as outlined in Section 5 of this resolution.

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

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

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

First Reading: September 10, 2024

Second Reading: September 24, 2024

Publication Date: October 1, 2024

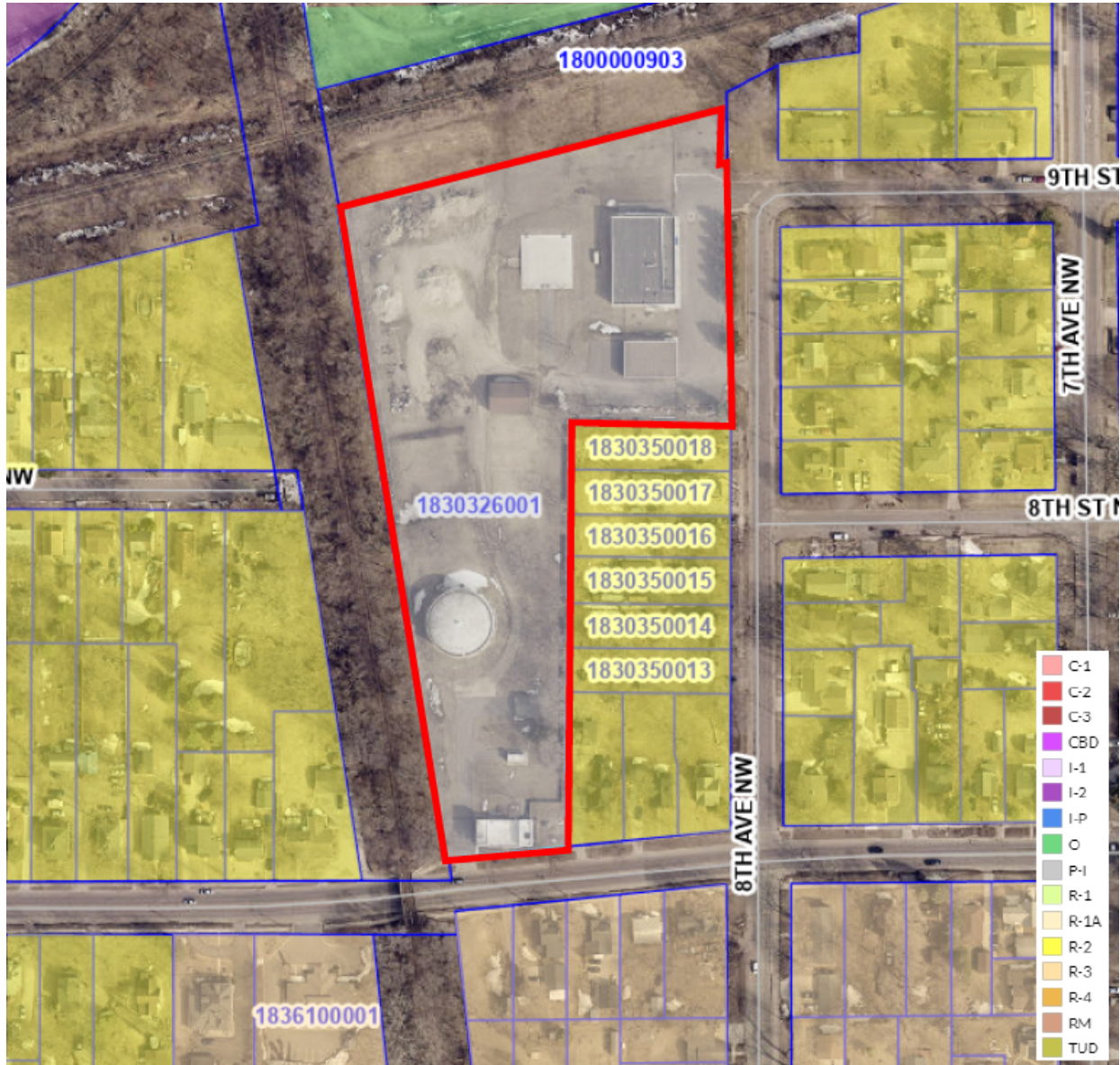
Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Jessica L. Kinser, City Administrator

EXHIBIT A:
Graphic Depiction of Subject Property to be Rezoned
to P/I, Public/Institutional

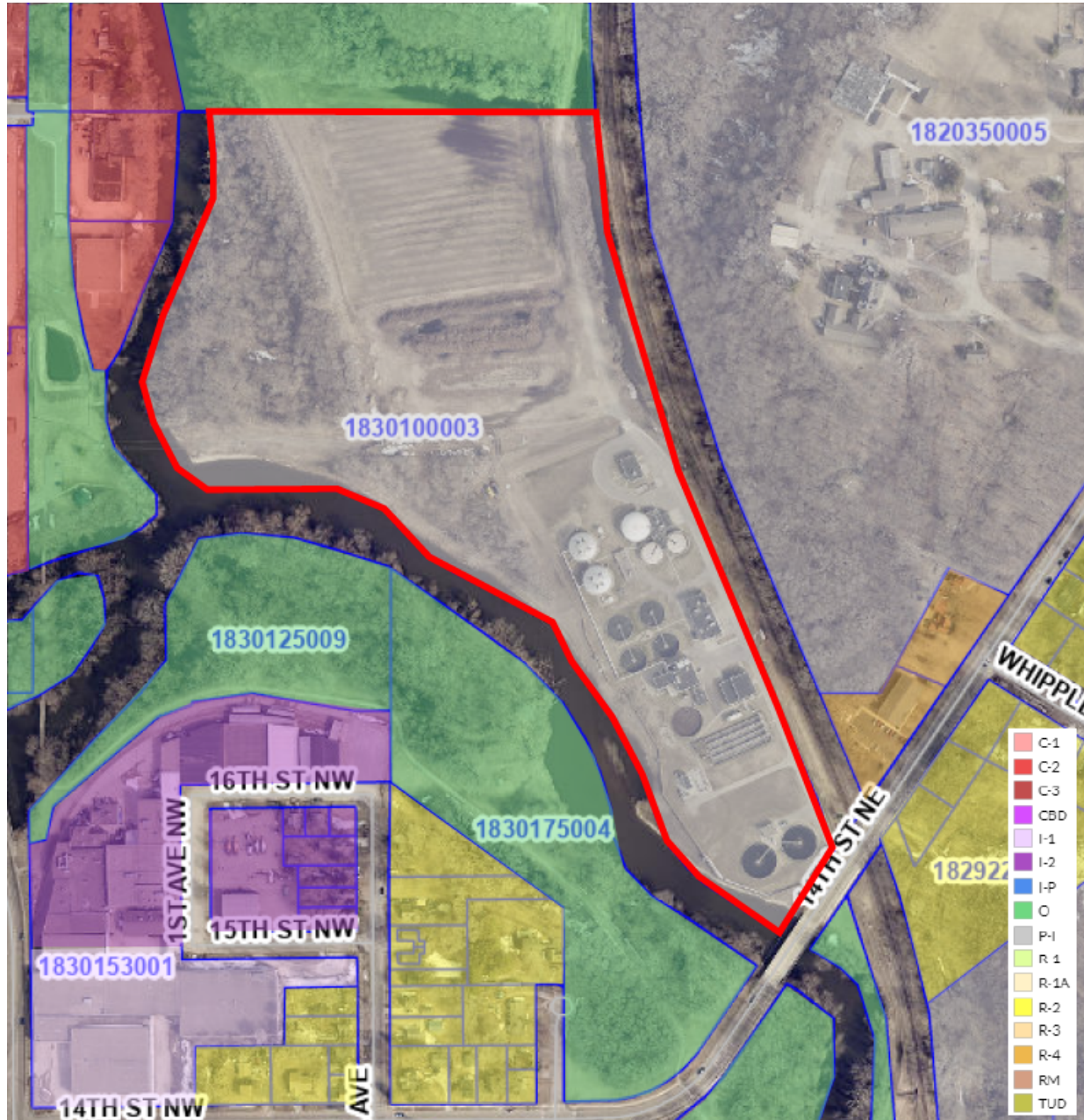


Area Circled in Red = Subject Property

Properties to be Rezoned:

- PID # 18.30.3.26.001 – 812 8th Ave NW

EXHIBIT B:
Graphic Depiction of Subject Property to be Rezoned
to P/I, Public/Institutional



Properties to be Rezoned:

- PID # 18.30.1.00.003 – 214 14th St NE



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: Commissioner Delgado - Planning Commission By-laws, Section 12. Attendance

Background:

On March 4, 2024, the Planning Commission adopted new attendance requirements for commissioners. The Planning Commission is authorized to consider recommending the removal of a member to the City Council if:

- A commissioner fails to attend 1/6th of regularly scheduled meetings in a calendar year without providing prior notice to the Chair or City Planner, or
- A commissioner fails to attend 1/3rd of regularly scheduled meetings in a calendar year with or without providing prior notice to the Chair or City Planner.
- Any member consecutively missing 1/4th of the number of regularly scheduled meetings without prior discussion and agreement by a majority of the commission will be subject to review.

As of the last Planning Commission, Commissioner Delgado has triggered the agenda item for the Planning Commission to consider their removal by failing to attend over 1/3rd of the scheduled meetings in 2024 (34.78%) and over the 1/3rd of meetings held (42.11%), assuming that the rest of the year's scheduled meetings will take place.

Recommendation:

The Planning Commission is authorized to consider recommending the removal of a member to the City Council due to poor attendance. The Planning Commission is not required to recommend the removal of a member.

Attachments:

Agenda Item: 5.A

1. 2024 PC Attendance Records - As of 8.19.24
2. 2024 Amendment of Planning Commission Bylaws - Executed

PLANNING COMMISSION

2024 Attendance Record

24-Feb

24-Apr

Regular Meeting Dates	Notes	Ackman	Delgado	Green	Jackson	Miglio	Salt	White
January 2, 2024		X	X		X		Excused	Excused
January 16, 2024		X	Unexcused		X		X	Excused
February 5, 2024		X	X	X	Excused		x	X
February 20, 2024		Excused	Excused	X	X		x	X
March 4, 2024		X	Excused	X	X		X	X
March 18, 2024		X	Excused		Excused		X	X
April 1, 2024	Canceled							
April 15, 2024		X	X	X	Excused	X	X	X
May 6, 2024	Canceled							
May 20, 2024	Canceled							
June 3, 2024		x	Excused	x	Excused	x	x	x
June 17, 2024		x	Excused	x	x	x	Excused	x
July 1, 2024		x	x	x	x	x	x	x
July 15, 2024		x	Unexcused	x	x	x	Excused	x
August 5, 2024	Cancelled							
August 19, 2024		x	Unexcused	x	Unexcused	x	x	x
September 3, 2024								
October 7, 2024								
October 21, 2024								
November 4, 2024								
November 18, 2024								
December 2, 2024								
December 16, 2024								
Total Absences		1	8	0	5	0	3	2
Total Excused Absences		1	5	0	4	0	3	2
Total Unexcused Absences		0	3	0	1	0	0	0
As % of all scheduled meetings		0.00%	13.04%	0.00%	4.35%	0.00%	0.00%	0.00%
As % of all actual meetings		0.00%	15.79%	0.00%	5.26%	0.00%	0.00%	0.00%
% of Meetings Missed (Scheduled Meetings)		4.35%	34.78%	0.00%	21.74%	0.00%	13.04%	8.70%
% of Meetings Missed (Actual Meetings)		5.26%	42.11%	0.00%	26.32%	0.00%	15.79%	10.53%

FARIBAULT PLANNING COMMISSION BY-LAWS

Section 1. Regular Meetings

The Planning Commission shall hold regular meetings on the first and third Monday of each month at 6:00 p.m. or as otherwise established by the Planning Commission. At such meetings, the Commission shall consider all matters properly brought before it. Notice of meetings shall be in accordance with law. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting. A regular meeting may also be continued to a later date at the discretion of the Commission. All meetings shall be held in the City Hall unless otherwise determined by the Commission.

At the first meeting of the year, the Planning Commission shall set forth a schedule of meetings for the upcoming year, including the annual meeting of the Planning Commission. The annual meeting is not required to be the first meeting of the year and shall take place within the first quarter of the year.

Section 2. Special Meetings

The Chair of the Commission or a majority of the Planning Commission may call a special meeting. Such meeting shall be called with a three-day notice to all Commission members and members of the media. Notice of meetings shall be in the form of an agenda packet, either mailed, hand-delivered, or electronically delivered to all members of the Commission and the media. Notice of such meeting shall be posted on the City Hall bulletin board. If time will allow, there shall also be published notice in the official newspaper of the City. All meetings shall be held in the City Hall unless otherwise determined by the Commission.

Section 3. Annual Meeting

The Planning Commission shall hold an annual meeting each year as set at the first meeting of the year. Said meeting shall be to elect officers and representatives for the year, review the annual report from the previous year, set goals for the upcoming year, and any such other business as shall be scheduled by the Planning Commission.

Section 4. Quorum

A majority of the members of the Planning Commission shall constitute a quorum for the transaction of business. No official action may be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. Vacancies on the Planning Commission, as outlined in Section 13, shall be taken into consideration when determining the number of members needed for a quorum and may reduce the number required accordingly. In no case shall the number of members required for a quorum be less than three.

Section 5. Voting

At all meetings of the Planning Commission, each member attending shall be entitled to case one vote. Voting shall be by voice unless a roll call vote is requested by any member of the Commission. The affirmative vote of a majority of the Planning Commission members shall be necessary for the adoption of any recommendation or action.

If any member of the Planning Commission has a conflict of interest in any matter that is on the agenda, they shall follow the steps for recusal listed below:

1. Advise the City Planner of the conflict as early as possible. The City Planner may consult the City Attorney when necessary.
2. Disclose the interest as early as possible (orally and in writing).
3. Do not attempt to influence others.
4. Do not participate in any discussions, when possible, leave the room when the Planning Commission is discussing the matter.
5. Follow the statutory procedures provided for the contracting exceptions.
6. Abstain from voting or taking any other official actions unless the City Attorney determines that there is no prohibited conflict of interest.

The Secretary shall record in the minutes that such member(s) recused themselves from discussion because of a conflict of interest. The recusal of any member for conflict of interest shall not result in the lack of a quorum when one existed prior to the voluntary removal of the member.

Section 6. Order of Business

The Chair or presiding officer of the Commission shall preserve order and decorum, act as parliamentarian, and decide questions of order. A designated member of City staff shall prepare a written agenda in advance of all regular meetings. The order of business shall be 1) Call to Order; 2) Approval of Minutes; 3) Public Hearings; 4) Requests to be Heard; 5) Items for Discussion; 6) Routine Business; and 7) Adjournment. Any other item of business shall be placed on the agenda in an order deemed prudent by the designated staff member.

Section 7. Minutes

A designated member of City staff shall prepare written copies of the minutes of each meeting and shall distribute copies of the minutes to the Planning Commission members prior to the next meeting of the Planning Commission. One or more copies of the minutes shall be available at the office of the City Administrator for review by the public. Upon the appearance of a quorum at a Planning Commission meeting, the Chair shall inquire of the Commission whether they wish to approve, disapprove, or amend the minutes of the previous session or sessions of the Commission as prepared by the Secretary. Any error or omission in the minutes may then

be corrected by the Commission. The designated City staff member shall also keep a permanent record of all minutes of all meetings of the Planning Commission.

Section 8. Rules of Procedure

All meetings of the Planning Commission shall be conducted in accordance with the rules of parliamentary practice as included within Robert's Rules of Order, except as otherwise contained herein.

Section 9. Officers

The officers of the Planning Commission shall consist of a Chair and Vice-Chair elected by the Commission at the annual meeting for a term of one year. The election procedure shall be by a vote of the simple majority. No member may serve more than two full consecutive terms as chairman.

Section 10. Duties of Officers

The duties and powers of the officers of the Planning Commission shall be as outlined herein. The Chair shall preside at all meetings, call special meetings in accordance with these by-laws, sign all documents of the Commission, see that all actions are properly taken, and to review all agendas prior to the meeting. In the absence, resignation, or disqualification of the Chair, the Vice Chair shall perform all the duties and be subject to all the responsibilities of the Chair. A designated City staff member shall serve as Secretary and keep a permanent record of the minutes of all meetings, serve notice of meetings as required by law or these by-laws, prepare the agenda for all meetings, be the custodian of all records, and handle funds allocated to the Commission.

Section 11. Representatives

The Planning Commission may select representatives to serve on other committees, task forces, or boards.

Section 12. Attendance

Each member of the Planning Commission who knows that they will not be able to attend a scheduled meeting of the commission shall notify the designated City staff member at the earliest possible opportunity and, in any event, before 4:30 p.m. on the day of the meeting. The City Planner shall notify the Chair and all members of the Commission if projected absences will produce a lack of quorum.

Commission member attendance is vital to Planning Commission business. As such, regular attendance by all members is necessary. Therefore, the commission is authorized to consider recommending the removal of a member to the City Council if:

- A commissioner fails to attend 1/6th of regularly scheduled meetings in a calendar year without providing prior notice to the Chair or City Planner, or
- A commissioner fails to attend 1/3rd of regularly scheduled meetings in a calendar year with or without providing prior notice to the Chair or City Planner.
- Any member consecutively missing 1/4th of the number of regularly scheduled meetings without prior discussion and agreement by a majority of the commission will be subject to review.

Section 13. Vacancies

Should any vacancy occur among the members of this Planning Commission by any reason, immediate notice thereof shall be given to the City Administrator by the City Planner. Should any vacancy occur among officers of the Commission, the vacant office shall be filled in accordance with Section 9 of these By-Laws, such officer to serve the unexpired term of the office in which such vacancy shall occur. If the office of Chair is vacated, the Vice-Chair shall become the Chair.

Section 14. City Code Recognized

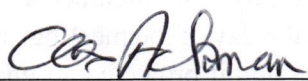
Chapter 20 of the Faribault Code of Ordinances establishing this Planning Commission is hereby recognized.

Section 15. Amending By-Laws

These By-Laws may be amended at any meeting of the Planning Commission provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

These By-Laws shall take effect upon adoption and all prior rules and By-Laws are rescinded.

Adopted this 4 day of MARCH, 2024.



Chair



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH:
FROM: Harry Davis, City Planner
MEETING DATE: September 3, 2024
SUBJECT: General Planning & Zoning Updates

Background:

Project and division updates, including future discussion items.

Recommendation:

No action needed.

Attachments: