



PLANNING COMMISSION AGENDA

All persons in City facilities may be required to wear masks, regardless of vaccination status. If masks are required, the mask requirements will be posted at the City Hall entrances.

COUNCIL CHAMBERS

MONDAY, FEBRUARY 7, 2022

6:00 PM

1. Call to Order/Oath of Office
2. Approval of the Minutes of January 3, 2022 Planning Commission Meeting
3. Public Hearings
 - A. Application for a Comprehensive Plan Amendment to Guide the North Side of the 1900 Block of 4th Street NW to Residential/Commercial Mixed-Use
 - B. Application to Rezone the North Side of the 1900 Block of 4th Street NW to R-4, High-Density Residential
 - C. Application for Preliminary Plat Approval of 1919 2nd Street NW
 - D. Application for a variance amendment to allow electronic message board displays on the marquee at the Paradise Center located at 321 Central Avenue, in the CBD Central Business District and Downtown Sign District.
 - E. Application for a variance from Shoreland Overlay District impervious surface coverage limits for construction of a new garage driveway at a residence located at 1906 2nd Ave NW
4. Planning Commission Updates
5. Adjournment

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



PLANNING COMMISSION MEETING MINUTES

MONDAY, January 3, 2022

6:00 PM

1. **Call to Order/Roll Call**

Chair Ackman called the meeting to order at 6:00 p.m.

Members Present: Dave Albers, David Campbell, Barton Jackson, Samuel Temple, Steve White and Chair Ackman.

Members Absent: Faysal Ali.

2. **Approve the December 6, 2021 Regular Meeting Minutes.**

A motion was made by Commissioner Temple and seconded by Commissioner Campbell to approve the minutes as presented.

Motion passed on a 6/0 vote.

3. **Approve the December 20, 2021 Annual Meeting Minutes.**

A motion was made by Commissioner Temple and seconded by Commissioner Temple to approve the minutes as presented.

Motion passed on a 6/0 vote.

4. **Public Hearings**

- A. Ordinance 2022-x Amend the Specific Development Standards for Residential Care Facilities Outlined in Chapter 7, Sec. 7-30 of the City's Unified Development Ordinance.

Wanberg began his presentation outlining that this involved the separation distance between residential care facilities which is 1320 ft. or a ¼ miles between care facilities. All our residential care facilities over six require a Conditional Use Permit. We are simply just be consistent with the State Statute.

Chair Ackman noted that there were no members of the public present and there was not need for public hearing. Commissioner White then made a motion Recommend that City Council Approve Ordinance 2022-x Amend the Specific Development Standards for Residential Care Facilities Outlined in Chapter 7, Sec. 7-30 of the City's Unified

Development Ordinance as presented, seconded by Commissioner Campbell. Chair Ackman asked if there was any further discussion and Commissioner Temple then asked what is the purpose of the distance between the care facilities. Wanberg's response was that the State wanted to make sure that the facilities were integrated in the community and that they were not segregated into one area. Motion carried unanimously.

- B. Ordinance 2022-x Amend Table 11-1 of the City's Unified Development Ordinance related to Residential Care Facilities in Commercial Zoning Districts.

Wanberg began presenting stating that the referenced table may have had some typographical errors and they are basically cleaning it up. What this change is going to reflect is that "...17 or more as opposed to limiting it to 32". No public was present. Commissioner Albers brought the motion to recommend that the City Council approve Ordinance 2022-x Amend Table 11-1 of the City's Unified Development Ordinance related to Residential Care Facilities in Commercial Zoning Districts as presented seconded by Commissioner Temple. Motion passed unanimously.

- C. Ordinance 2022-x Approve a Zoning Text Amendment to Create a Public/Institutional Zoning District.

Chair Ackman then opened it up for Wanberg's presentation. The ordinance presented in the packet adds the public institutional district in our ordinance in table 13-2 which adds the PI to the district. This is a patch for the short term. Will be plugging in some of the uses. Commissioner Albers asked about a time line for UDO update? Wanberg stated that ideally within two years and we can get started on this right now. We will have to come back with the districts for the public institutional. We will continue to do them this year. The whole re-write will take some time. Commissioner Temple asked about if there was a specific difference between non-profits and places of worship. Wanberg said that we should look at this in terms of size, the big places, like the schools, the government centers. We have a number of religious institutions on a lot but that would not be included. No public present. Chair Ackman opened matter up for discussion and mentioned that we will be coming back with this. This has been discussed over the years and stated that we've looked at all the little churches and felt that this would be an overlay district but will agree with this. Wanberg stated that the size is 2.5 acres. Commissioner White then made a motion to recommend that the City Council approve Ordinance 2022-x Approve a Zoning Text Amendment to Create a Public/Institutional Zoning District as presented seconded by Commissioner Temple. With no further discussion. Motion passed unanimously.

- D. Ordinance 2022-x Approve the Creation of a Wild and Scenic River Overlay District.

Staff's recommendation is to continue the public hearing until City Staff and Minnesota

DNR officials review and refine the ordinance. The wild and scenic needs to go through a process. The Cannon River was identified and, since that time, the city has annexed some land and that land which was identified is the land the Rice County is looking at for redevelopment. The draft ordinance here is mirror from the County's ordinance. The DNR has a lot to think that through want to continue to have discussions with the city to see what area might be. No members of the public present so Chair Ackman opened and closed the public hearing and went on to further discussion. Commissioner Jackson asked if this will affect the recreational use of the river. Wanberg said that it will not. The intent is that it open and natural as possible. Commissioner Campbell made a motion to continue the public hearing until City Staff and Minnesota DNR officials review and refine the ordinance, seconded by Commissioner Jackson. Motion carried unanimously.

5. **Adjourn**

Chair Ackman requested a motion to adjourn. Commissioner Temple made a motion to adjourn seconded by Commissioner Temple. Meeting was adjourned at 6:49 p.m. Motion carried unanimously.

Dated January 3, 2022.

By _____
Kari Casper, Recording Secretary



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: February 7, 2022
SUBJECT: Application for a Comprehensive Plan Amendment to Guide the North Side of the 1900 Block of 4th Street NW to Residential/Commercial Mixed-Use

Background:

Rick Amundson (the Applicant) on behalf of Sun Companies Properties Management, LLC (Owner of 1919 2nd Street NW) and Scott and Therese Amundson (Owners of 1914, 1916, and 1918 4th Street NW) and in consultation with Daniel Schulz (Owner of 1920 4th Street NW) has requested approval of a comprehensive plan amendment that would guide the subject properties fronting 4th Street NW for commercial/residential mix.

The Applicant plans to convert the undeveloped land and existing single-family residential properties fronting 4th Street NW (see Figure 1: Existing Land Uses) to multi-family workforce housing (see Figure 2: Concept Workforce Housing Master Plan). The proposed housing development would occur over several years, with the first phase of development occurring at the northeast corner of 4th Street NW and 20th Avenue NW. Refer to Agenda Item 3.C. for additional information regarding the concept housing plan. The existing C & S Vending use at 1919 2nd Street NW would continue to be guided for commercial/industrial mixed-use.

Faribault's Journey to 2040 Comprehensive Plan guides the subject properties for commercial/industrial mixed use (see Figure 3: Journey to 2040 Comprehensive Plan Guided Land Use), which is inconsistent with the proposed residential use. However, Faribault has a strong need for workforce

housing, and the subject properties are appropriate for workforce housing in that they are adjacent to existing industries in need of workforce housing. It is inefficient to maintain the existing low-density single-family residential uses in the area, and there appears to be no interest in expanding existing industrial uses in this area.

It is in the community's best interest to guide the subject properties for residential/commercial mixed-use as shown in Figure 4: Proposed Land Use. The proposed workforce housing would be consistent with the proposed commercial/residential mixed land use. In addition, it would allow future commercial development in the area if the market shifted and created a greater demand for commercial uses in the area.

Again, the Applicant intends to phase the development over several years. Nevertheless, the Applicant has requested approval of the requested comprehensive plan amendment to ensure that the Applicant and the City Council have a shared vision for multi-family workforce housing in this area. Following the Planning Commission's action on the requested comprehensive plan amendment, the Commission should act on the Applicant's rezoning request discussed in Agenda Item 3.B.

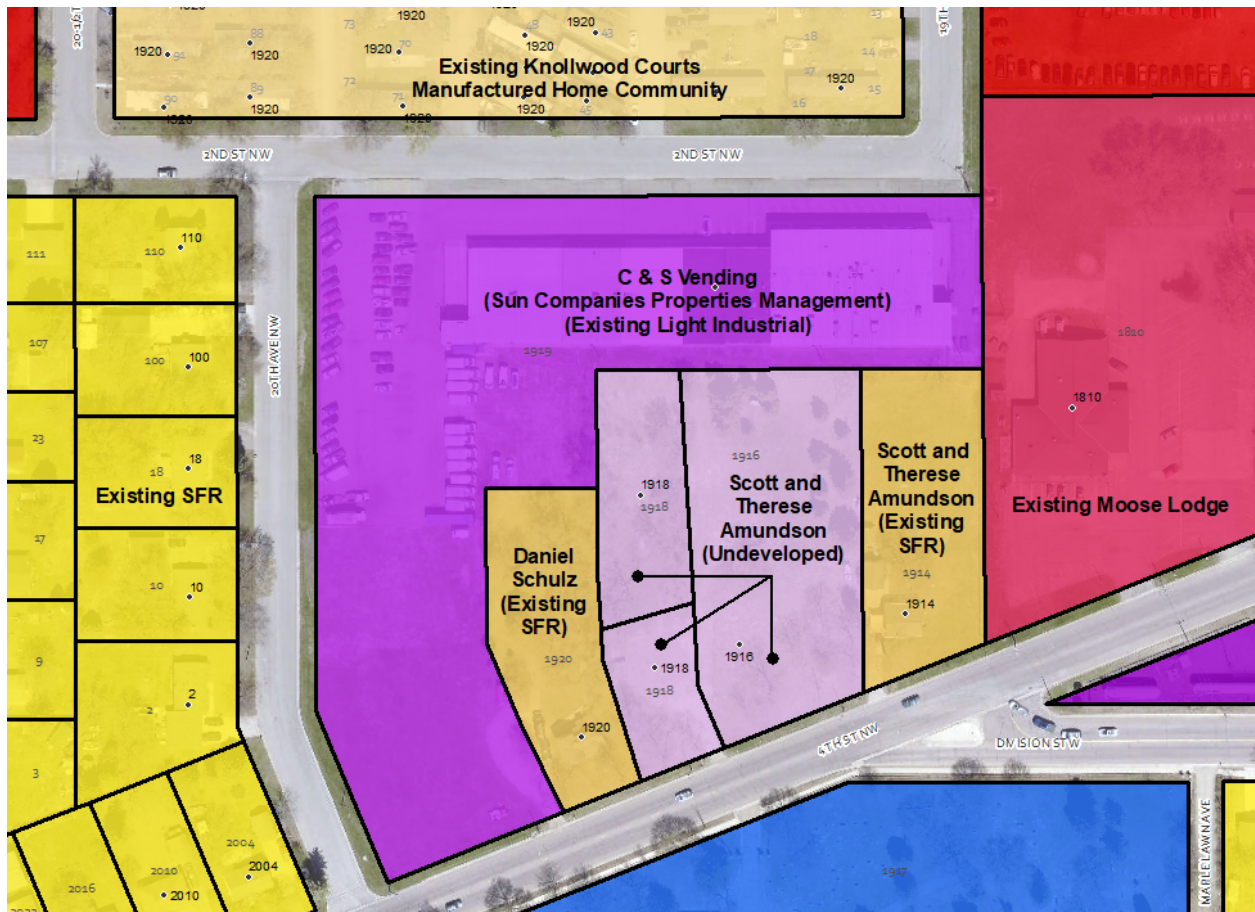


Figure 1: Existing Land Use

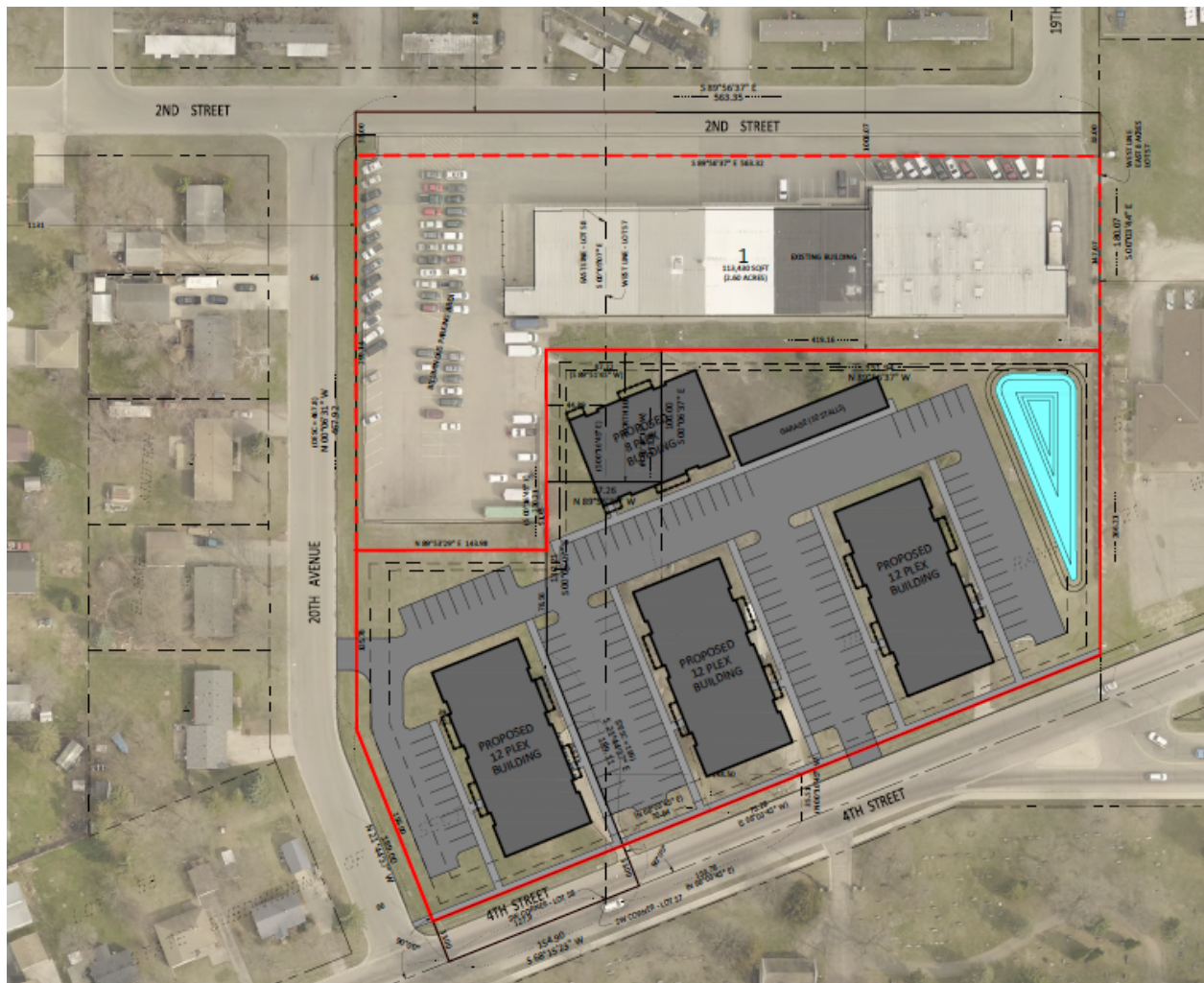


Figure 2: Concept Workforce Housing Master Plan

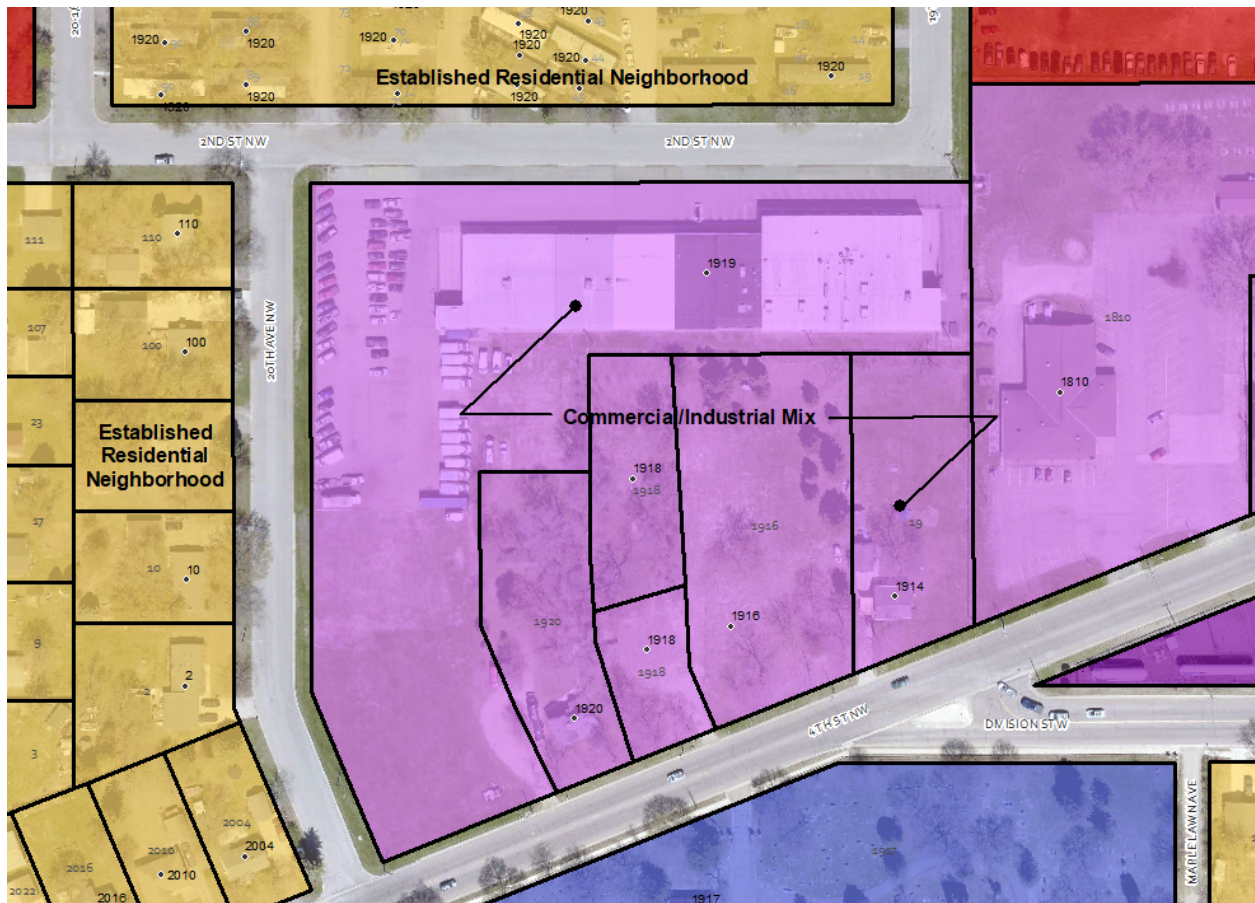


Figure 3: Journey to 2040 Comprehensive Plan Guided Land Use

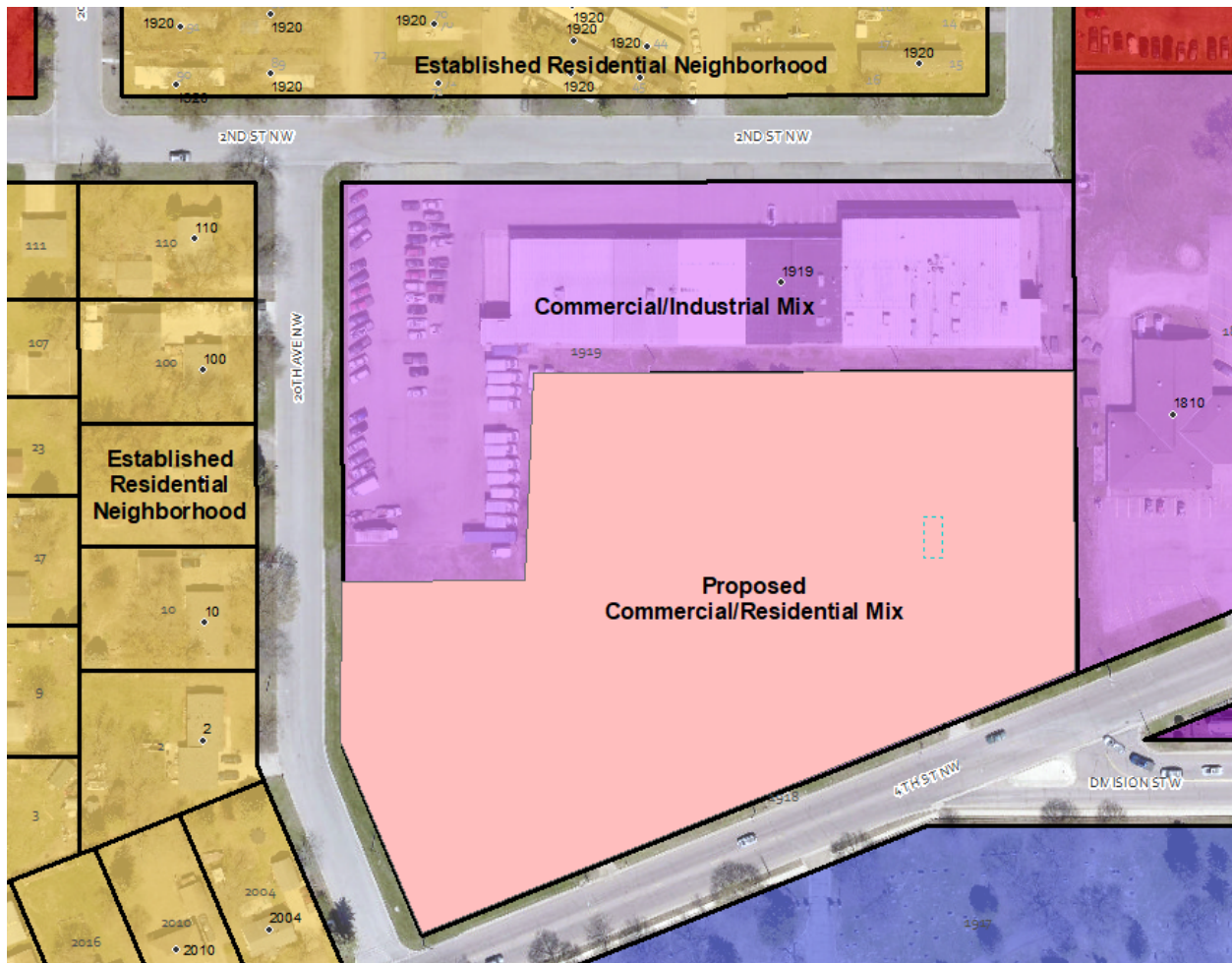


Figure 4: Proposed Comprehensive Plan Amendment

Recommendation:

Recommend that the City Council approve Resolution 2022-xxx Approve a Comprehensive Plan Amendment to Guide the North Side of the 1900 Block of 4th Street NW to Residential/Commercial Mixed-Use based on the findings and conditions in the resolution. Note that the resolution includes a condition that the comprehensive plan amendment would not go into effect until the recording of the final plat discussed in Agenda Item 3.C.

Attachments:

1. 2022-xxx Approve Comprehensive Plan Amendment to Guide the North Side of the 1900 Block of 4th Street NW to Residential-Commercial Mixed-Use

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-xxx

APPROVE A COMPREHENSIVE PLAN AMENDMENT TO GUIDE THE NORTH SIDE OF THE 1900 BLOCK OF 4TH STREET NW TO RESIDENTIAL/COMMERCIAL MIXED-USE

WHEREAS, Rick Amundson (the Applicant) on behalf of Sun Companies Properties Management, LLC (the Owner of property at 1919 2nd Street NW) and Scott and Therese Amundson (the Owners of 1914, 1916, and 1918 4th Street NW) and in consultation with Daniel Schulz (the Owner of 1920 4th Street NW) has requested approval of a comprehensive plan amendment that would guide the subject properties fronting 4th Street NW for commercial/residential mixed-use; and

WHEREAS, the Applicant, in separate applications, also requested rezoning and preliminary plat approvals that would allow the Applicant to develop high-density workforce housing on the subject properties described in the above recital; and

WHEREAS, the City's current comprehensive plan guides the subject property described in the first recital for commercial/industrial mixed-use, which is inconsistent with the Applicant's plans to develop high-density workforce housing; and

WHEREAS, the existing C & S Vending light industrial use at 1919 2nd Street NW has no plans to expand their existing development, and the City is not aware of any interest from others for future industrial development involving the subject property; and

WHEREAS, the Applicant stated that C & S Vending has a strong desire to provide workforce housing adjacent to their existing facility at 1919 2nd Street

NW, which would benefit C & S Vending and other businesses and industries in the community; and

WHEREAS, the Faribault community has a strong need for additional workforce housing; and

WHEREAS, the subject properties described in the first recital are suitable for high-density workforce housing in that the housing is adjacent to existing industries; and

WHEREAS, the requested commercial/residential mixed-use designation would allow future commercial uses (in addition to residential uses) if the market shifted and created a greater demand for commercial uses in the area; and

WHEREAS, City Staff has made a report to the Planning Commission and recommended approval of the requested comprehensive plan amendment to guide the subject properties described in the first recital for commercial/residential mixed-use; and

WHEREAS, the Planning Commission, on February 7, 2022, following proper notice, held a public hearing to review and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, following the said public hearing, the Planning Commission recommended that the City Council approve the requested comprehensive plan amendment to guide the subject property for commercial/residential mixed-use use based on the following written findings:

1. The comprehensive plan amendment review process provided adequate opportunity for public review and comment of the requested amendment – the Applicant communicated with all of the subject property owners, and the City sent public hearing notices to all of the subject property owners and all property owners within 350 feet of the subject properties; and
2. Approval of the requested amendment is in the best interest of the general health, safety, and welfare of the community in that future uses of the subject site will be compatible with adjoining uses in this location - ; and
3. The existing and proposed infrastructure, including sanitary sewer, water, stormwater, and transportation, associated with the subject property are suitable for commercial/residential mixed-use; and

WHEREAS, the City Council held a public meeting on _____ to consider the Applicant's comprehensive plan amendment request and the Planning Commission's recommendation; and

WHEREAS, the City Council concurs with all of the 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 OF FARIBAULT, MINNESOTA AS FOLLOWS:

Section 1: Incorporation of Recitals and Exhibits. The recitals in this resolution and the exhibits attached hereto are incorporated into and made a part of this resolution.

Section 2. Amendment. The City Council hereby amends the Applicant's comprehensive plan amendment request to guide the subject property property legally described in Exhibit A and graphically depicted in Exhibit B for commercial/residential mixed-use. The effective date of the amendment shall be as outlined in Section 4 of this resolution.

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

Section 4. Effective Date. This resolution shall become effective immediately upon its passage and without publication. However, the comprehensive plan amendment shall not be effective until the final plat associated with the property at 1919 2nd Street NW is recorded with Rice County.

Date Adopted: _____

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

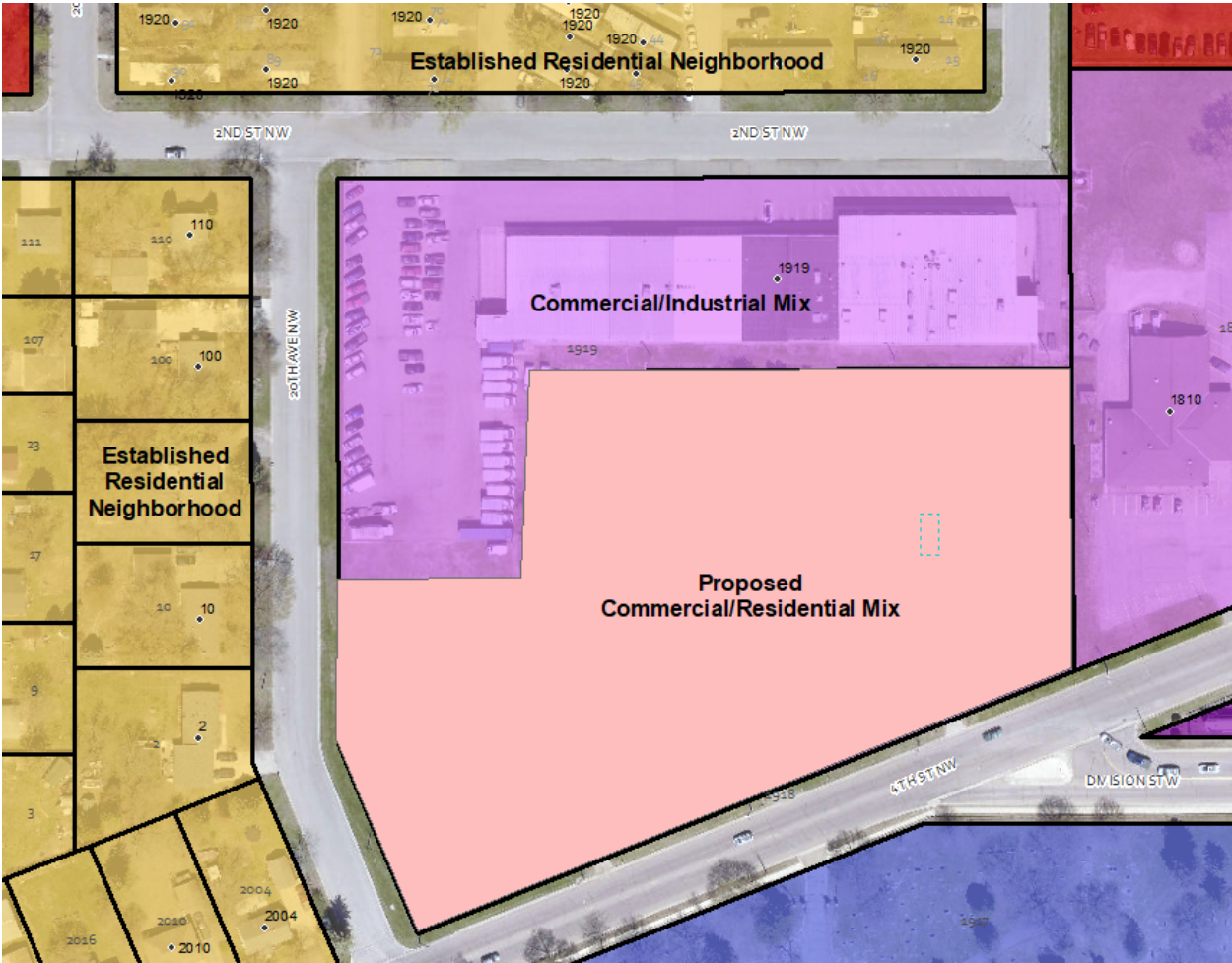
Timothy C. Murray, City Administrator

EXHIBIT A

Legal Description

(Insert legal descriptions.)

EXHIBIT B
Graphic Depiction





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: February 7, 2022
SUBJECT: Application to Rezone the North Side of the 1900 Block of 4th Street NW to R-4, High-Density Residential

Background:

Rick Amundson (the Applicant), on behalf of Sun Companies Properties Management, LLC (Owner of 1919 2nd Street NW), has requested that the south portion of 1919 2nd Street NW fronting 4th Street NW be rezoned from I-1, Light Industrial to R-4, High-Density Residential. The Applicant, on behalf of Scott and Therese Amundson (Owners of 1914, 1916, and 1918 4th Street NW) and in consultation with Daniel Schulz (Owner of 1920 4th Street NW), has also requested that 1914, 1916, 1918, and 1920 4th Street NW be rezoned from R-2, Low-Density Residential to R-4, High-Density Residential (see Figure 1: Existing Zoning).

As discussed in Agenda Item 3.A., the Applicant plans to convert the undeveloped land and existing single-family residential properties fronting 4th Street NW to multi-family workforce housing. If the Planning Commission recommended approval of the requested comprehensive plan amendment, the Commission should recommend approval of the Applicant's request to rezone the properties to R-4, High-Density Residential (see Figure 2: Proposed R-4, High-Density Residential Zoning).

It is in the community's best interest to rezone the south portion of 1919 2nd Street NW from I-1, Light Industrial to R-4, High-Density Residential. The existing C & S Vending development at 1919 2nd Street NW has no need or

desire to expand the existing development. In conjunction with plat approval to create a new lot on the south portion of 1919 2nd Street NW (see Agenda Item 3.C.), the Applicant could then develop the first phase of multi-family workforce housing on the site.

It is also in the community's best interest to rezone the properties at 1914, 1916, 1918, and 1920 4th Street NW from R-2, Low-Density Residential to R-4, High-Density Residential. R-2, Low-Density Residential zoning does not allow for efficient use of the properties. Rezoning the properties to R-4, High-Density Residential would facilitate needed workforce housing development in the area. The existing single-family residences at 1914 and 1920 4th Street NW could remain indefinitely as legal nonconforming uses in the R-4 District per City ordinances. However, within several years, the Applicant intends to develop 1914, 1916, 1918, and 1920 4th Street NW into high-density workforce housing, which would be consistent with the guided commercial/residential mixed land use.

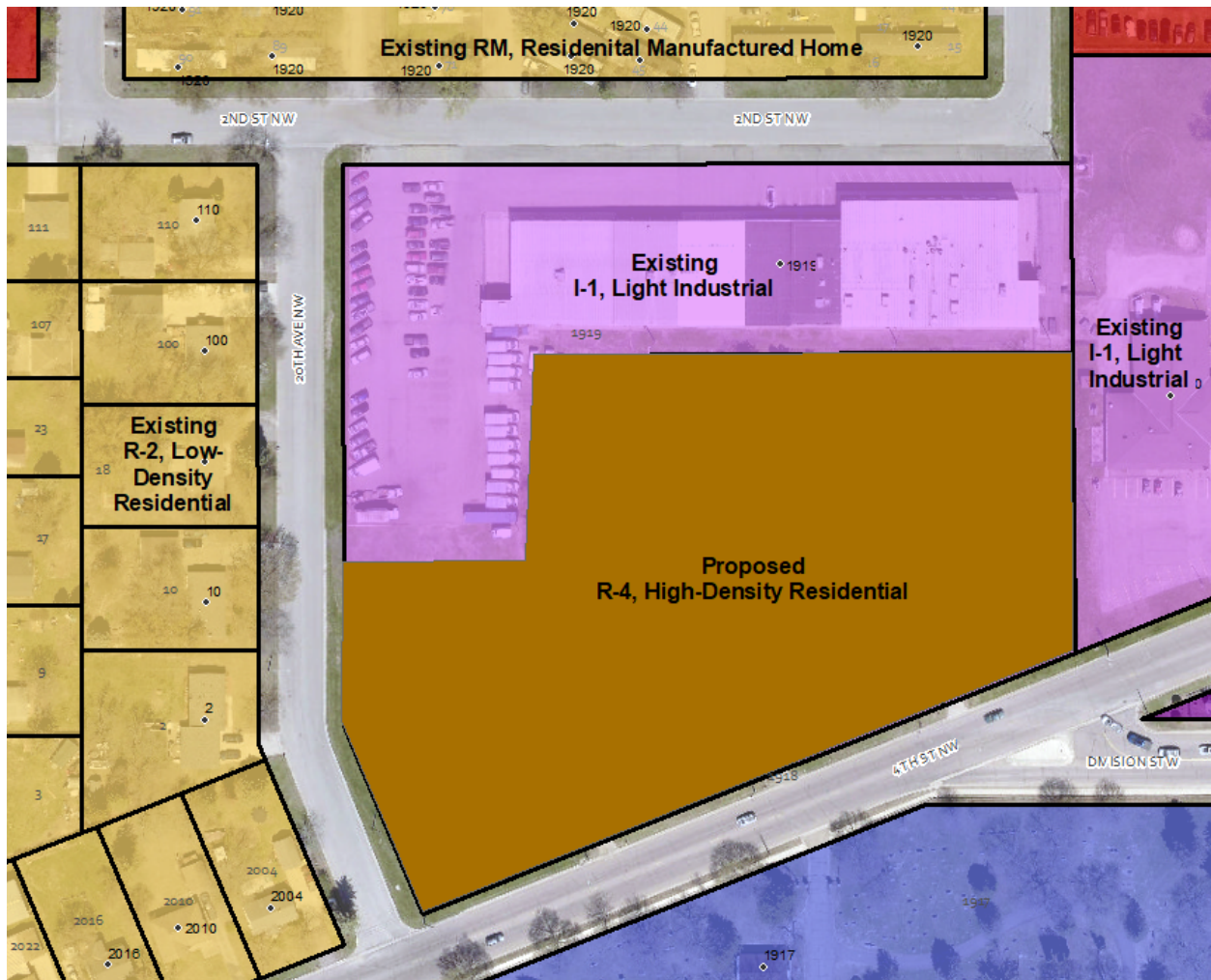


Figure 2: Proposed R-4, High-Density Residential

Recommendation:

Recommend that the City Council approve Ordinance 2022-x Rezone the South Portion of 1919 2nd Street NW from I-1, Light Industrial to R-4, High-Density Residential and Rezone 1914, 1916, 1918, and 1920 4th Street NW from R-2, Low-Density Residential to R-4, High-Density Residential. Note that a condition of the ordinance is that the rezoning will not take effect until the publication of the ordinance and the recording of the final plat discussed in Agenda Item 3.C.

Attachments:

1. 2021-2 Rezone the North Side of the 1900 Block of 4th Street NW to R-4, High Density-Residential

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

REZONE THE NORTH SIDE OF THE 1900 BLOCK OF 4TH STREET NW TO R-4, HIGH-DENSITY RESIDENTIAL

WHEREAS, Rick Amundson (the Applicant) on behalf of Sun Companies Properties Management, LLC (the Owner of 1919 2nd Street NW) has requested the south portion of 1919 2nd Street NW fronting 4th Street NW be rezoned from I-1, Light Industrial to R-4, High-Density Residential; and

WHEREAS, the Applicant, on behalf of Scott and Therese Amundson (the Owners of 1914, 1916, and 1918 4th Street NW) and in consultation with Daniel Schulz (the Owner of 1920 4th Street NW), has also requested that 1914, 1916, 1918, and 1920 4th Street NW be rezoned from R-2, Low-Density Residential to R-4, High-Density Residential ; and

WHEREAS, City Staff reviewed the Applicant's rezoning request, prepared a report to the Planning Commission, and made a recommendation to approve the Applicant's rezoning request; and

WHEREAS, the Planning Commission, on February 7, 2022, following proper notice, held a public hearing regarding the said request; and

WHEREAS, the Planning Commission finds that it is appropriate to rezone the subject property as requested by the Applicant 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: Per Resolution 2022-xxx, the Land Use Plan guides the subject properties for commercial/residential mixed-use, which is consistent with the proposed zoning. In addition, the proposed zoning allows for additional multi-family workforce housing in the community, which is expressed as a need in the City's comprehensive plan.

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 and logical use of the property. The undeveloped and single-family uses

on the subject property do not provide efficient land use in the community. It is reasonable to rezone the subject property to R-4, High-Density Residential, to allow the needed development of multi-family workforce housing in the area and the community.

- 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 a mix of industrial, commercial, and residential uses. The proposed R-4, High-Density Residential zoning would allow multi-family workforce housing adjacent to existing industries that desire additional workforce housing in the area for their employees.

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

Finding: The existing undeveloped and single-family uses on the subject property are not an efficient use of the land. It is not reasonable, nor is it in the community's best interest to maintain low-density residential uses when the area and the community have a strong need for multi-family workforce housing.

- 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: When the City adopted the Journey to 2040 Comprehensive Plan in 2020, there was a belief that C & S Vending at 1919 2nd Street NW (or another industry) may want to expand or develop in this area. However, C & S Vending is not interested in expanding its existing development, and the City is not aware of any other interests to expand industrial uses or low-density residential uses in this area.

However, there is a demand for multi-family workforce housing in the area. Therefore, rezoning the subject property to R-4, High-Density Residential is appropriate.

WHEREAS, the City Council held a public meeting on _____, _____, to consider approval of the first reading of Ordinance 2022-x; and

WHEREAS, the City Council also held a public meeting on _____, to consider approval the second reading of Ordinance 2022-x; and

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

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Findings and Incorporation of Recitals and Exhibits. The recitals in this Ordinance and the attached exhibits are incorporated into and made part of this Ordinance, and, where applicable, constitute the written findings of the City Council of the City of Faribault.

Section 2: Amendment. The Official Zoning Map of the City of Faribault is hereby amended to rezone the subject property legally described in Exhibit A and graphically depicted Exhibit B, to R-4, High-Density Residential. The effective date of the rezoning shall be as outlined in Section 4 of this resolution.

Section 3: Official Zoning Map. The Official Zoning Map of the City of Faribault shall not be re-published to show the aforesaid rezoning, but the City Planner shall appropriately mark the Official Zoning Map on file with the Department of Community and Economic Development for the purpose of indicating the rezoning.

Section 4: Effective Date. This Ordinance shall be effective immediately upon its passage and publication according to the Faribault City Charter. However, the rezoning shall not effective until the final plat associated with the property at 1919 2nd Street NW is recorded with Rice County.

First Reading: _____

Second Reading: _____

Published: _____

Date Adopted: _____

Faribault City Council

Kevin F. Voracek, Mayor

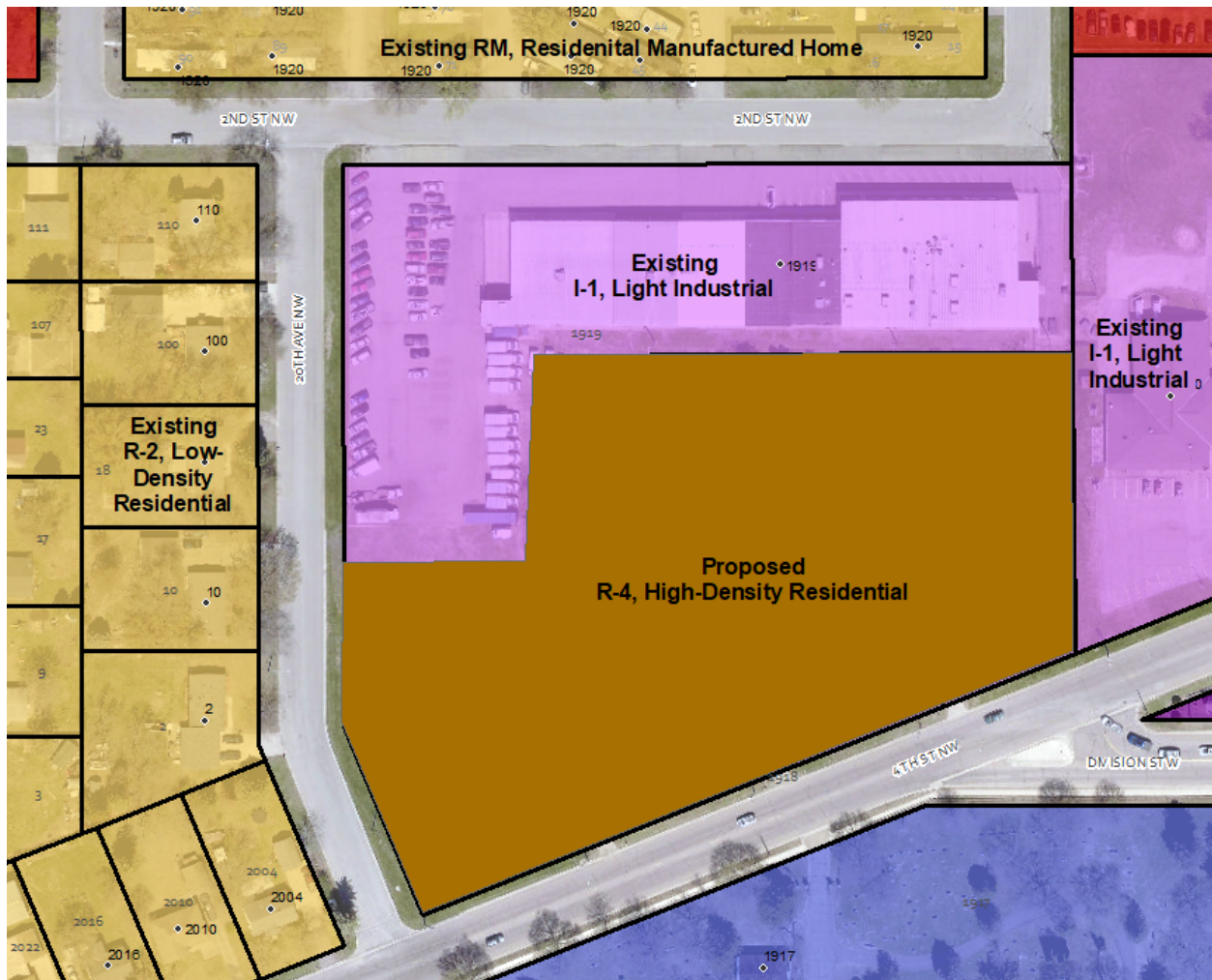
ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

(Insert legal descriptions.)

EXHIBIT B: Graphic Depiction





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: February 7, 2022
SUBJECT: Application for Preliminary Plat Approval of 1919 2nd Street NW

Background:

Rick Amundson (the Applicant), on behalf of Sun Companies Properties Management, LLC (Owner of 1919 2nd Street NW), has requested preliminary plat approval to subdivide the property at 1919 2nd Street NW into two lots and one outlot (see Figure 1: Proposed Preliminary Plat). The proposed Lot 1 would contain the existing C & S Vending light industrial building, and the Applicant proposes developing a multi-family residential use on the proposed Lot 2. In the next several years, the Applicant proposes to replat the proposed Lot 2, the proposed outlot, and the properties at 1914, 1916, 1918, and 1920 into one lot that will accommodate residential as shown in Figure 2: Concept Workforce Housing Master Plan.

The preliminary plat's proposed lots have sufficient area and dimensions to accommodate the existing and proposed uses in their respective zoning districts. The existing C & S Vending development on the proposed Lot 1 has several nonconforming conditions related to building and parking setbacks and other conditions. However, the existing conditions can remain as-is. The Applicant has stated that the C & S Vending will not be expanding the existing building or parking on Lot 1.

The existing driveway associated with the existing single-family residence at 1920 4th Street NW encroaches on the proposed Lot 2. This encroachment would have to be rectified before the City could issue a building permit for the proposed workforce housing on Lot 2. The proposed housing on Lot 2 must

meet all zoning, engineering, and building permit requirements in place at the time of a building permit submittal.

The City's Development Review Committee (DRC) asked the Applicant to explore eliminating the dead-end parking lots shown in Figure 2: Concept Workforce Housing Master Plan. The Applicant and DRC will explore refinements to the Master Plan before the Applicant requests final plat approval. The proposed development details, including parkland dedication, will be addressed as part of the development agreement associated with the forthcoming final plat request. Refer to the attached memorandum from the City Engineer for additional information.

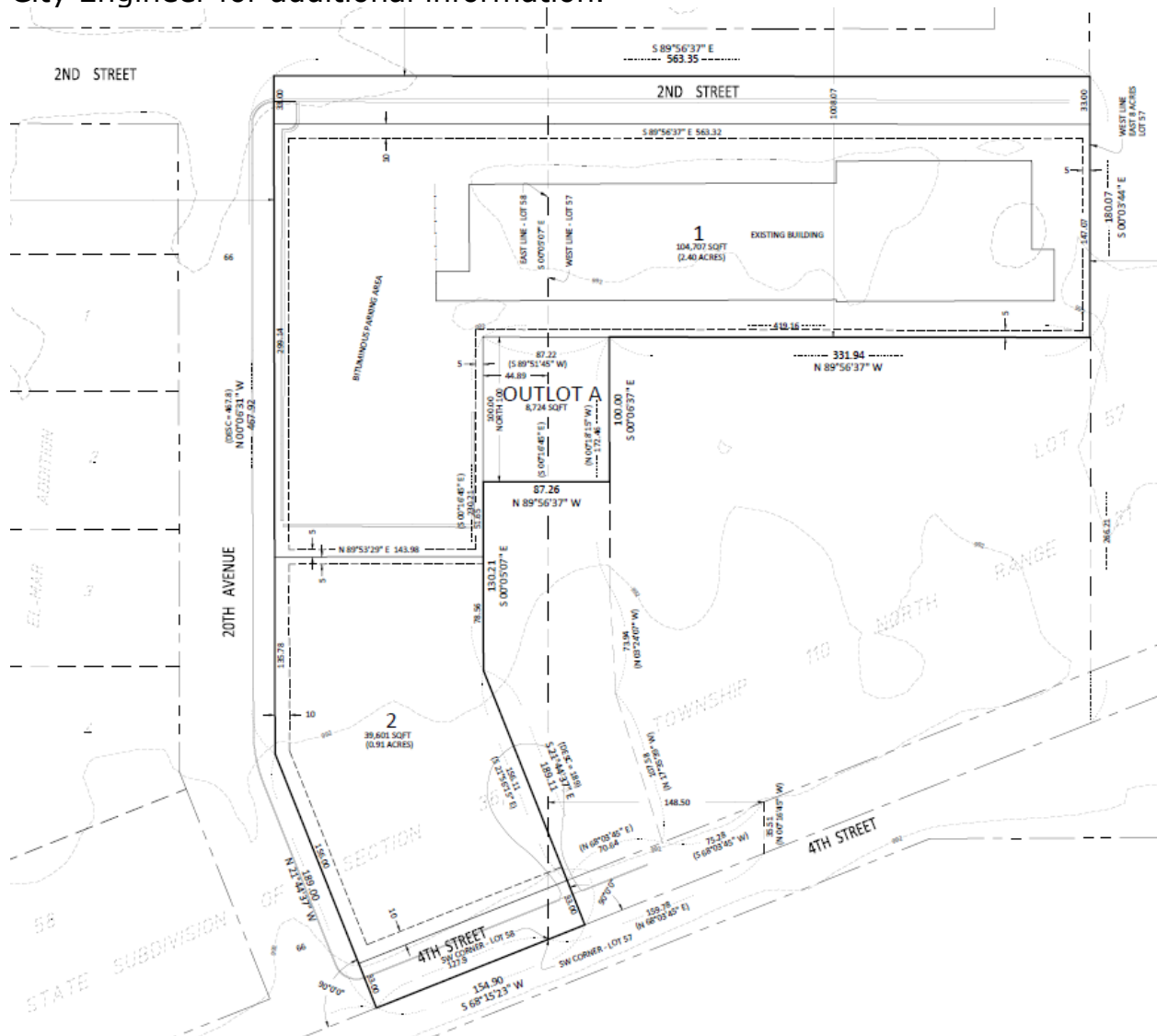


Figure 1: Proposed Preliminary Plat

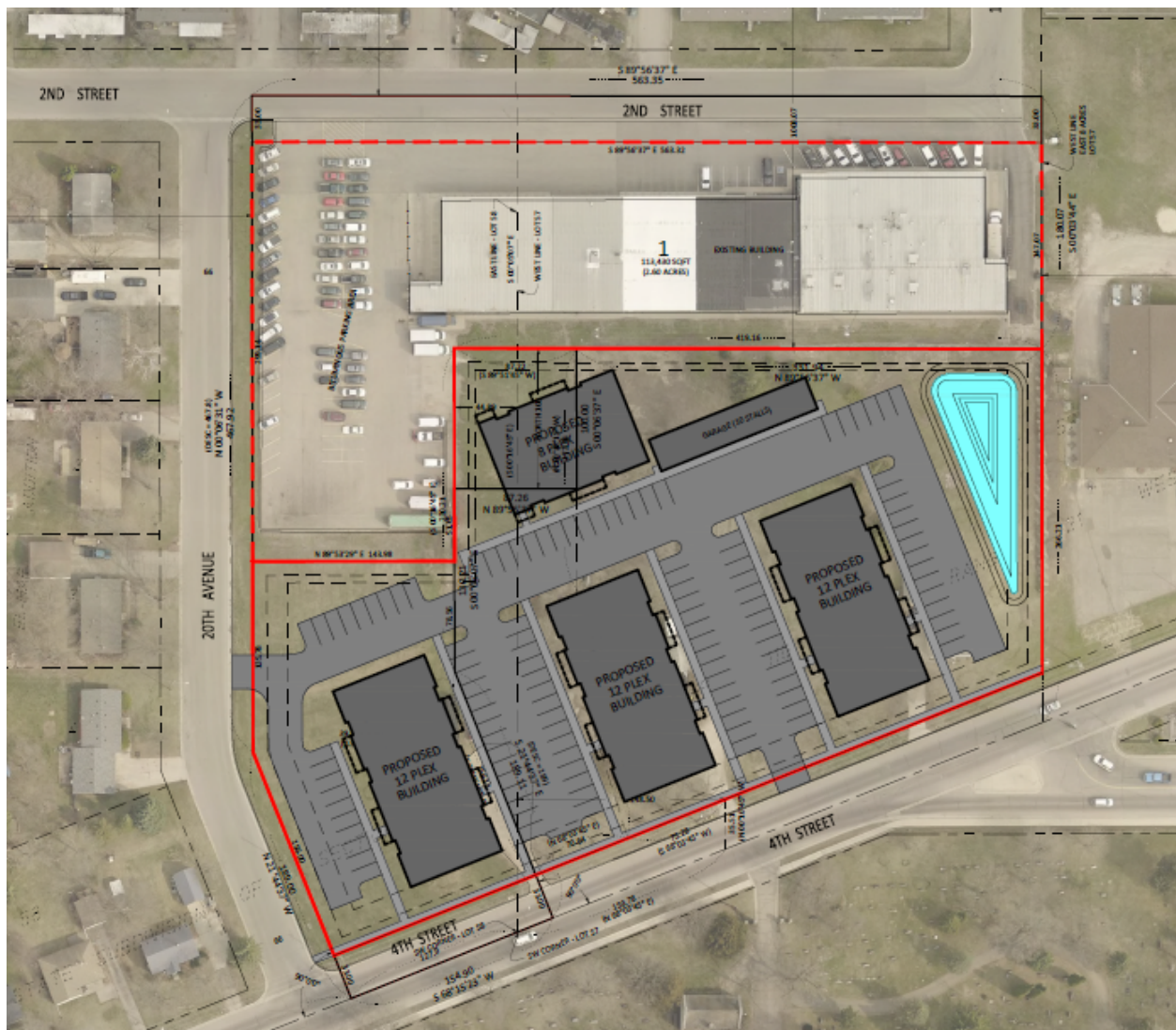


Figure 2: Concept Workforce Housing Master Plan

Recommendation:

Recommend that the City Council approve Resolution 2022-xxx Approve the Preliminary Plat of RSA Properties, LLC at 1919 2nd Street NW based on the findings and conditions in the resolution.

Attachments:

1. 2022-xx Approve Preliminary Plat of 1919 2nd Street NW

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2021-055

APPROVE PRELIMINARY PLAT OF CAMELOT COURT ESTATES

WHEREAS, Rick Amundson (the Applicant), on behalf of Sun Companies Properties Management, LLC (the Owner), requested preliminary plat approval to subdivide the property at 1919 2nd Street NW into two lots and one outlot as graphically depicted in Exhibit A; and

WHEREAS, approval of a preliminary plat authorizes the Applicant to proceed with preparing the final plat - it does not constitute acceptance of the final subdivision; and

WHEREAS, the proposed development details, including parkland dedication and encroachments, will be addressed in the development agreement associated with a forthcoming final plat approval request; and

WHEREAS, the Planning Commission, on February 7, 2022, following proper notice, held a public hearing regarding the Applicant's above-referenced request, and following said public hearing recommended that the City Council approve the proposed preliminary plat based on following findings as required by Section 15-130 of the City's Unified Development Ordinance:

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

Expanded Finding: The subject property is in the I-1, Light Industrial zoning district and the R-4, High-Density Residential zoning district. The proposed preliminary plat is consistent with the area and dimensional requirements of lots in their respective zoning districts and all other applicable provisions of the City's Unified Development Ordinance.

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

Expanded Finding: Faribault's Journey to 2040 Comprehensive Plan guides the subject property for "commercial/industrial mixed-use" and "commercial/residential mixed-use". The proposed preliminary plat is consistent with guided land use

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

Expanded Finding: The proposed preliminary plat with consistent land planning and site engineering principles. However, the City's Development Review Committee (DRC) has requested that the Applicant work with DRC to refine the proposed layout of residential units in the plat to avoid dead-end parking lots, if possible. These refinements can be addressed at the time of final plat.

4. The spacing and design of proposed curb cuts and intersection locations are consistent with good traffic engineering design and public safety considerations.

Expanded Finding: The proposed curb cut locations are generally acceptable, but the DRC has requested refinements to the proposed layout of residential units that could affect the final location of future curb cuts. City Staff will review driveway curb cuts for the proposed residential lots at the time of building permits.

5. All submission requirements have been satisfied.

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

WHEREAS, at a regular meeting of the City Council on _____ the City Council considered the Applicant's request and concurs with the recommendations and 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 of Faribault as follows:

Section 1. The preliminary plat of the property associated with 1919 2nd Street NW is hereby approved with the following conditions:

1. Approval of a preliminary plat authorizes the Applicant to proceed with preparing the final plat - it does not constitute acceptance of the final subdivision.
2. Before or at the time of final plat application, the Applicant shall submit to the City current title work that identifies all entities with a legal interest in the subject property, including but not limited to mortgage and easement interests.
3. Before or at the time of final plat application, the Applicant shall address, to the satisfaction of the City Engineer, all comments raised by the City Engineer in his memorandum dated February 4, 2022, attached as Exhibit B to this Resolution.
4. Before or at the time of final plat application, the Applicant shall address all plat-related comments from City Staff and the City's consultants.
5. As a condition of final plat approval, the Applicant and the City of Faribault shall enter into a Development Agreement that addresses all terms and conditions of the preliminary plat and final plat to the satisfaction of the City Attorney.
6. The approved preliminary plat shall be valid for up to one year after this Resolution's effective date. If the City does not receive an application for final plat approval of the subject property within one year of the effective date of this Resolution, the preliminary plat approval shall automatically become void.

Section 2. The recitals set forth in this Resolution are incorporated into and made a part of this Resolution and, where applicable, constitute the findings of the City Council.

Section 3. The Mayor and City Administrator, City Staff, and City Consultants are hereby authorized and directed to take any additional

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

Section 4. This Resolution shall become effective immediately upon its passage and without publication.

Date Adopted:

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT B:
City Engineer's Memo dated February 4, 2022



Engineering Department Memorandum

TO: David Wanberg, City Planner

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

FROM: Mark DuChene, City Engineer

DATE: February 4, 2022

SUBJECT: RSA Properties LLC Subdivision Preliminary Plat, Rezoning and Comprehensive Plan Amendment Review

BACKGROUND

Rick Amundson, on behalf of Sun Companies Properties Management, has submitted a preliminary plat, comprehensive plan amendment and rezoning text amendment applications for the RSA Properties LLC Subdivision. The site is located in the NW ¼ of Section 36 Township 110, Range 21W. The site is adjacent to 20th Avenue to the west, light industrially zoned property to the east, 2nd Street NW to the north and old 4th Street to the south.

Comprehensive Plan Amendment

The proposed subdivision is on land that is currently guided for Industrial/Commercial land use according to the City's current comprehensive plan. The applicant has submitted a comprehensive plan amendment to change the land use designation for the for proposed Lot 2, RSA Properties LLC Subdivision to Commercial/Residential as well as the adjacent property not included in the preliminary plat that lies south of Lot 1 RSA Properties LLC Subdivision, east of Lot 2, north of old 4th Street NW and west of the parcel at 1810 4th Street NW (Moose Lodge).

Rezoning Request

The proposed subdivision is located on land that is currently zoned I-1 Light Industrial. The applicant is proposing to rezone the property for proposed Lot 2, RSA Properties LLC Subdivision to R-4 High Density Residential as well as the adjacent property not included in the preliminary plat that lies south of Lot 1 RSA Properties LLC Subdivision, east of Lot 2, north of old 4th Street NW and west of the parcel at 1810 4th Street NW (Moose Lodge). Prior to recording of the rezoning text amendments, legal descriptions for all properties to be rezoned shall be submitted.

Current Land Use and Proposed Improvements

Lot 1 RSA Properties LLC Subdivision is currently used for a food manufacturing/distribution business. No change in use is proposed for Lot 1. The area of Lot 2 RSA Properties LLC Subdivision is currently vacant land and is proposed to be used to construct a high density multi-story multi-family building for work force housing. All future improvements on Lot 2 must meet all applicable zoning ordinances at time of building permit submittal. Outlot A is currently vacant land and is being preserved for future development.

There are no proposed public improvements.

The proposed development will be completed by:

Owner/Developer:	Sun Companies Properties Management
Surveyor:	Bolton & Menk

PLAT

Developer has submitted a preliminary plat for RSA Properties LLC Subdivision. The preliminary plat contains two (2) lots and one (1) outlot and dedicates the necessary right-of-way for 4th Street NW. Lot 1, contains the existing C&S Vending manufacturing business and related site improvements. Lot 2 and Outlot A are vacant and intended for future high density residential development.

The areas within the plat include:

Lot 1	2.40 acres (104,707 sf)
Lot 2	0.91 acres (39,601 sf)
Outlot A	0.20 acres (8,724 sf)
ROW	0.55 acres (23,702 sf)
Total	4.06 acres (176,734 sf)

No title work was submitted with the preliminary plat. Current title work must be submitted with the final plat application and will be subject to the review of the City and City Attorney's office.

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

SITE CONDITIONS

The existing site contains approximately 3.63 acres of land that is partially developed. The site is relatively flat. No proposed site improvements are proposed at this time; however, a site concept plan was submitted for both the preliminary plat areas and the adjacent area to the east which is currently covered by two separate single-family dwellings. The concept plan indicates a desire to redevelop all of this land along old 4th Street NW for multi-family high density residential. Future plans should incorporate all required zoning and engineering requirements and should limit long dead-end parking lots and provide adequate site circulation while limiting the number of accesses to old 4th Street.

There appear to be multiple encroachments on the proposed plat from adjacent properties that must be removed or mitigated. These include a driveway entrance for the property at 1920 4th Street NW. This driveway must be relocated or proof of an access/driveway easement must be provided to the City prior to recording of the final plat.

EASEMENTS

Existing Easements

There were no known existing easement shown on the preliminary plat. This shall be confirmed through the submittal of current title work at the time of final plat application.

Proposed Easements

The proposed plat shows perimeter drainage and utility easements as required by City code on the proposed Lots 1 & 2, RSA Properties LLC Subdivision preliminary plat. Final easement location and widths for drainage and utility easements shall be subject to the review and approval of the City Engineer at the time of final plat submittal subsequent to review of title work.

STREET AND SITE LAYOUT

No public street improvements are planned as part of the subdivision.

2nd Street NW

The site is south of and adjacent to 2nd Street NW a local roadway. 2nd Street NW is constructed as a 37-foot wide, urban roadway and is within a 66-foot right-of-way. The entire boulevard is paved to allow almost unlimited access to the adjacent building. No proposed changes to 2nd Street NW are shown. The preliminary plat does show dedicating the necessary 33-foot half right-of-way for 2nd Street NW.

20th Avenue NW

The site is east of and adjacent to 20th Avenue NW a local roadway. 20th Avenue NW is constructed as a 37-foot wide, urban roadway and is within a 66-foot right-of-way. Any future driveway connections to 20th Avenue must meet City design standards in effect at the time of construction. No proposed improvements to 20th Avenue are shown at this time.

4th Street NW (Old 4th Street NW)

The site is north of and adjacent to 4th Street NW a major collector roadway. 4th Street NW is constructed as a 44-foot wide, urban roadway and is within a 66-foot right-of-way. Any future driveway connections to 4th Street must meet City design standards in effect at the time of construction. Given the major collector functional classification driveway access should be limited. No proposed improvements to 4th Street NW are shown at this time. The preliminary plat does show dedicating the necessary 33-foot half right-of-way for 4th Street NW.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Southwest drainage district as identified in the City's 2004 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to the adjacent streets which eventually connect to existing storm sewer systems that ultimately discharge to Crocker's Creek to the east.

There are no proposed storm sewer improvements at this time. Future site plans requiring storm sewer facilities must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems must be designed to limit the post construction rate of runoff from the 2, 10 & 100 yr. 24-hour storm events to less than or equal to existing conditions. Final storm sewer locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

Future site improvements that include the addition of 1.0 acres or more of new and/or reconstructed impervious surface as a stand alone project or as part of a larger plan of common development must comply with the requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit and the City's current Municipal Separate Storm Sewers permit in effect at the time of development and the Developer will be required to enter into a long-term stormwater operations and maintenance agreement with the City and record said agreement at the Rice County Recorder's office.

UTILITIES

The existing site is currently served by City water and sewer from mains located in the adjacent public streets.

No utility improvements are proposed at this time. All future utility connections will be subject to the review of the City and must conform to the City requirements in effect at the time of connection.

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

WETLANDS

There are no known wetlands shown on the preliminary plat.

RECOMMENDATION

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

- Future development of the lots shall be subject to the City Code requirements and engineering standards in place at the time of development.
- Current title work shall be submitted with the final plat submittal and shall be subject to review by the City and City Attorney.
- Future development submittals shall contain a drainage and grading plan including surface water management plans meeting the City requirements in place at the time of development. If future development requires permanent stormwater management facilities, owner shall enter into a stormwater maintenance and operations agreement with the City.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits.



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: Peter Waldock, Planning Coordinator
MEETING DATE: February 7, 2022
SUBJECT: Application for a variance amendment to allow electronic message board displays on the marquee at the Paradise Center located at 321 Central Avenue, in the CBD Central Business District and Downtown Sign District.

Background:

Heidi Nelson, Executive Director, Paradise Center for the Arts, 321 Central Avenue, has applied for a variance amendment seeking to replace an internally lit message board with a new Electronic Message Board (EMB) of the same size or smaller on the marquee. The new EMB will have a full color LED screen. It will be programmable to update messaging as needed for this performing arts center. The EMB is needed to update the changeable copy style message that now requires art center staff to climb a ladder to change the individual letters manually on all three sides of the marquee.

The site is in a district of the National Register of Historic Places, the City's Downtown Sign District and the Heritage Preservation Overlay District. The location is zoned CBD Central Business District. Surrounding uses are commercial with upper floor residential.

Resolution 2008-131 was approved by the City in 2008 granting variances to construct the marquee with internal illumination, changeable copy message signs, programable flashing lighting system, and sound system. The variance specifically excludes electronic message boards from the marquee. If approved, this variance amendment request will amend the existing variance to allow the EMB panels on all three sides of the marquee to replace the message boards at the same size. The marquee as constructed appears to

replicate the marquee plans for the building from 1927.

A certificate of appropriateness was approved by the HPC for the current marquee in 2008. At its meeting of January 19, 2022, the HPC approved a Certificate of Appropriateness for the EMB on the marquee subject to approval of the variance amendment for the proposal.

Discussion:

Sign Plan. The planned EMB will not alter the marquee's bulk or outer dimensions. The EMB will allow moving images. It can also be set to the image of a changeable copy sign with black letters and white background to maintain a similar appearance to the current marquee.

Limits and Allowances Listed in Res. 2008-131:

1. A variance to allow a 3-faced projecting sign where only one projecting sign is allowed.
2. A variance to allow two 16 sq. foot faces and a 22 sq. ft face where only 7.5 sq. ft are allowed.
3. A variance to allow a projecting sign to extend 8' from the wall where only 4' is permitted.
4. A variance to allow the maximum height of a projecting sign of 20' where 12' is the maximum height permitted.
5. A variance to allow individual internal LED lights where only externally lit signs are permitted.
6. A variance to allow the sign to flash where code prohibits flashing signs or lights that intermittently go on and off, **excluding electronic message boards.**
7. A variance to allow a sign which moves or creates the illusion of movement where no movement or the illusion of movement is not permitted.
8. A variance to allow portable or changeable copy message signs.
9. A variance to exceed the total square footage permitted of 125 sq. ft to allow for a total of 177 sq. ft for the property as a whole.

Conditions of Approval Listed in Res. 2008-131:

1. A sign permit shall be issued for the sign prior to the installation.
2. A structural engineer shall approve the connection of the sign to the building.
3. The letters for the changeable copy message board shall be maintained in an orderly manner.

4. The lights shall be maintained and replaced as necessary.
5. The lighting levels of the sign shall be maintained at a level so as to not adversely affect the second level residences.
6. The lighting on the sign shall not be illuminated between midnight and 7:00 a.m.

HPC Approval. The HPC reviewed the sign plans for the EMB update to the marquee. They had no objections and expressed no concerns or did not have any recommended limitations on the EMB beyond what was already in the 2008 resolution. They granted approval of the Certificate of Appropriateness for the EMB on the marquee subject to the approval of the variance amendment.

Proposed amendment. The application seeks to amend Resolution 2008-131 to allow Electronic Message Boards (EMB) on three sides of the marquee as shown on plans submitted with this application. Based on the HPC comments and approval of the Certificate of Appropriateness, the DRC has no objection to this application. The DRC recommends that line 6 of Section 1 of the original variance resolution (Res. 2008-131) be amended to allow rather than exclude EMB on the marquee. A draft resolution to amend the original variance resolution is presented accordingly. No changes to the original conditions of approval of the variance are proposed.

Additional Findings. #7) An Electronic Message Board on the marquee will eliminate the need to manually change the message board letters and provide a safer operation of the marquee for staff and the public.

Staff recommends approval of the variance amendment application to allow (**include**) electronic message boards on the Paradise Center Marquee to replace the changeable copy message board with an EMB of the same size or smaller dimensions. No other provisions of Res. 2008-131 should be changed.

Recommendation:

Staff recommends approval of findings in support of the proposed variance amendment to allow EMB panels on the Paradise Center Marquee as provided in the draft resolution attached with this report.

Attachments:

1. Res. 2022-XXX Amending Variances for the Marquee at Paradise Center 321 Central Ave
2. Resolution 2008-131
3. Variance Application Paradise Marquee

4. Historic Plans and Photos

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-____

APPROVE AN AMENDMENT TO RESOLUTION 2008-131 GRANTING VARIANCES FOR THE RECREATION OF A HISTORIC MARQUEE AT THE PARADISE CENTER AND NOW ALLOWING INSTALLATION OF AN ELECTRONIC MESSAGE BOARD AT 321 CENTRAL AVENUE

WHEREAS, Heidi Nelson, Executive Director (Applicant), on behalf of the Family Drive in Theater, dba Paradise Center for the Arts (Property Owners), has requested an amendment to Resolution 2008-131 which granted variances allowing installation of a marquee which is a recreation of the original marquee on the building in 1929, this variance amendment is to allow electronic message boards to be placed on the marquee at 321 Central Avenue, legally described on Exhibit A; and

WHEREAS, the subject property is in the CBD, Central Business District, the Heritage Preservation District and in Downtown Sign District; and

WHEREAS, the City's Unified Development Ordinance does not permit Electronic Message Boards in these Districts; and

WHEREAS, the application proposes the installation of new Electronic Message Boards to replace existing changeable copy message boards on the marquee as shown on plans attached as Exhibit B; and

WHEREAS, City Staff completed a review of the Applicant's variance application and presented a report on the variance request to the Heritage Preservation Commission and to the Planning Commission; and

WHEREAS, the Heritage Preservation Commission, on the 19th day of January, 2022, at a regular public meeting, considered the Applicant's request for a Certificate of Appropriateness; and

WHEREAS, the Heritage Preservation Commission, approved the request and authorized issuance of the Certificate of Appropriateness (subject to approval of variances) for the updated marquee with new Electronic Message Boards replacing the changeable copy message board, and

WHEREAS, the Planning Commission, on the 7th day of February, 2022, following proper notice, held a public hearing regarding the Applicant's variance application; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve an amendment to the original variance approval resolution (Res. 2008-131) to now allow electronic message boards on the marquee for the Paradise Center at 321 Central Avenue, with the original findings restated herein as follows:

- (1) *The strict application of this ordinance would result in practical difficulty or hardship inconsistent with the general purpose and intent of this ordinance.*
- (2) *The alleged difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the parcel of land.*
- (3) *The variance is requested to overcome some exceptional condition which prevents the property owner from displaying a sign as intended by this ordinance or the variance will allow for a sign of exceptional design or style that will enhance the area or remain consistent with the architecture and design of the site.*
- (4) *The granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the general area.*
- (5) *The variance will allow signage that is consistent with the historic character of a property or building, based on architectural style or a documented historic use.*

- (6) *The granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the general area.*

Whereas, the Planning Commission further recommends adding one new finding as follows:

- (7) *An Electronic Message Board on the marquee will eliminate the need to manually change the message board letters and provide a safer operation of the marquee for staff and the public.*

Whereas, the Planning Commission, also recommends that the City Council makes the following findings as required by Section 2-460 of the City of Faribault, Unified Development Ordinance:

- (8) *The variance is in harmony with the general purposes and intent of the City's ordinances.*
- (9) *The variance is consistent with the Comprehensive Plan.*
- (10) *The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.*
- (11) *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.*
- (12) *The variance does not alter the essential character of the neighborhood.*
- (13) *The variance requested is the minimum variance which would alleviate the practical difficulties.*
- (14) *Economic conditions alone do not constitute practical difficulties.*

WHEREAS, the City Council, on the 22nd day of February, 2022, at a public meeting considered the Applicant's variance request, reviewed City Staff's report to the Planning Commission, and considered the results of the public hearing; and

WHEREAS, the City Council concurs with Planning Commission's

recommendation and findings as stated in the above recitals and hereby makes the same findings.

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

Section 1: Incorporation of Recitals and Exhibits. The recitals set forth in this resolution and the exhibits attached hereto are incorporated into and made a part of this resolution.

Section 2: Approval of the Variance. The Faribault City Council hereby approves a variance for the Paradise Center Marquee at 321 Central Avenue, to amend the original variances granted in Resolution 2008-131 by allowing electronic message boards to replace the existing changeable copy message boards on the marquee as shown on plans attached in Exhibit B.

Section 3: Conditions of Approval. The approval of this amended variance is subject to conditions listed herein as authorized under Section 2-470 of City's Unified Development Ordinance, all of which are necessary to comply with the standards established by the City's ordinances, or to reduce or minimize the effect of such variance upon other properties in the area and to better carry out the intent of the variance. The conditions of the variance approval shall be the restated or updated from the original variance approval as follows:

1. *A sign permit shall be issued for the sign prior to the installation.*
2. *A structural engineer shall approve the connection of the sign to the building.*
3. ~~*The letters for the changeable copy message board shall be maintained in an orderly manner.*~~
3. *The Electronic Message Board must meet the standards listed in Sec. 9-130(4) of the Unified Development Ordinance for such signs in Commercial Districts.*
4. *The lights shall be maintained and replaced as necessary.*
5. *The lighting levels of the sign shall be maintained at a level so as to not adversely affect the second level residences.*
6. *The lighting on the sign shall not be illuminated between midnight and 7:00 a.m.*

Section 4: Effective Date. This resolution shall become effective immediately upon its passage.

Date Adopted: February 22, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A:
Legal Description

Exhibit B
Site Plan

City of
Faribault
4-18-46

603415

Document No.
603415



OFFICE OF COUNTY RECORDER
RICE COUNTY, MINN

No. of Pages 4

I hereby certify that the within instrument was filed in this office
for record on 07-23-2008 at 08:55 ☒ AM ☐ PM



Marsha DeGroot
Rice County Recorder

**CITY OF FARIBAULT
RESOLUTION 2008-131**

**APPROVING MULTIPLE SIGN VARIANCES
FROM CHAPTER 9 OF THE
FARIBAULT UNIFIED DEVELOPMENT ORDINANCE
(321 Central Avenue)**

WHEREAS, Matt Drevlow, on behalf of the Faribault Art Center, owner of the following described real estate, to wit:

Lot 7, Block 46, Original Town, Faribault, Rice County, Minnesota

has requested multiple sign variances from Chapter 9, Faribault Unified Development Ordinance, as follows:

- 1) A variance to allow a 3 faced projecting sign where only one projecting sign is allowed.
- 2) A variance to allow two 16 sq foot faces and a 22 sq ft face where only 7.5 sq ft are allowed.
- 3) A variance to allow a projecting sign to extend 8' from the wall where only 4' is permitted.
- 4) A variance to allow the maximum height of a projecting sign of 20' where 12' is the maximum height permitted.
- 5) A variance to allow individual internal LED lights where only externally lit signs are permitted.
- 6) A variance to allow the sign to flash where code prohibits flashing signs or lights that intermittently go on and off, excluding electronic message boards.
- 7) A variance to allow a sign which moves or creates the illusion of movement where no movement or the illusion of movement is not permitted.
- 8) A variance to allow portable or changeable copy message signs.
- 9) A variance to exceed the total square footage permitted of 125 sq ft to allow for a total of 177 sq ft for the property as a whole.

; and

WHEREAS, City staff has completed a review of the application and made a report pertaining to said request (SV-37-08), a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 1st day of July, 2008, following proper notice, held a public hearing regarding the request, and following said public hearing, adopted a recommendation that the sign variances be approved; and

WHEREAS, based upon said report, hearing, and recommendation, the City Council hereby finds that approving the request for multiple sign variances would be appropriate based on the following findings:

- (1) The strict application of this ordinance would result in practical difficulty or hardship inconsistent with the general purpose and intent of this ordinance.
- (2) The alleged difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the parcel of land.
- (3) The variance is requested to overcome some exceptional condition which prevents the property owner from displaying a sign as intended by this ordinance or the variance will allow for a sign of exceptional design or style that will enhance the area or remain consistent with the architecture and design of the site.
- (4) The granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the general area.
- (5) The variance will allow signage that is consistent with the historic character of a property or building, based on architectural style or a documented historic use.
- (6) The granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the general area.

NOW, THEREFORE, THE CITY COUNCIL RESOLVES:

Section 1: The following sign variances from Chapter 9, Faribault Unified Development Ordinance

- 1) A variance to allow a 3 faced projecting sign where only one projecting sign is allowed.
- 2) A variance to allow two 16 sq foot faces and a 22 sq ft face where only 7.5 sq ft are allowed.
- 3) A variance to allow a projecting sign to extend 8' from the wall where only 4' is permitted.
- 4) A variance to allow the maximum height of a projecting sign of 20' where 12' is the maximum height permitted.
- 5) A variance to allow individual internal LED lights where only externally lit signs are permitted.
- 6) A variance to allow the sign to flash where code prohibits flashing signs or lights that intermittently go on and off, excluding electronic message boards.

- 7) A variance to allow a sign which moves or creates the illusion of movement where no movement or the illusion of movement is not permitted.
- 8) A variance to allow portable or changeable copy message signs.
- 9) A variance to exceed the total square footage permitted of 125 sq ft to allow for a total of 177 sq ft for the property as a whole.

are hereby approved for the property located at 321 Central Avenue with the following provisions:

1. A sign permit shall be issued for the sign prior to the installation.
2. A structural engineer shall approve the connection of the sign to the building.
3. The letters for the changeable copy message board shall be maintained in an orderly manner.
4. The lights shall be maintained and replaced as necessary.
5. The lighting levels of the sign shall be maintained at a level so as to not adversely affect the second level residences.
6. The lighting on the sign shall not be illuminated between midnight and 7:00 a.m.

This resolution shall become effective immediately upon its passage and without publication.

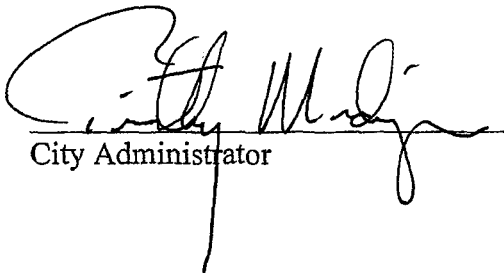
Adopted this 8th day of July, 2008.

Faribault City Council



Mayor

ATTEST:

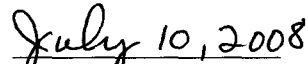


City Administrator

CERTIFICATION

I, Lorri Smith, Administrative Assistant for City of Faribault, do hereby certify that the foregoing Resolution is a true and exact copy of Resolution 2008-131 as adopted by the Faribault City Council at a duly authorized meeting on July 8, 2008.


Lorri A. Smith, Administrative Assistant


Date



APPLICATION FOR REQUESTED ACTION
Variance

Planning Case # _____
Filing Fee _____
Hearing Date _____

Faribault Art Center dba
APPLICANT Paradise Center for the Arts E-MAIL director@paradisecenterfortheart.org
PHONE 507-332-7372 (H) Heidi cell 507-461-5171 (W) _____ (FAX) _____
APPLICANT ADDRESS 321 Central Ave N.
OWNER (if other than applicant) _____
PHONE _____ (H) _____ (W) _____ (FAX) _____
OWNER'S ADDRESS _____
ADDRESS OF PROPERTY 321 Central Ave. N.
LEGAL DESCRIPTION Lot 7 Block 46 of Original Town Faribault
ACREAGE/SIZE OF PROPERTY .25 acres
CURRENT ZONING CBD 10,890 SF
EXISTING USE OF PROPERTY Multidisciplinary Art Center
PROPOSED USE OF PROPERTY Same
(Including number of units per acre and types of uses if mixed use)
IDENTIFY ALL ADJACENT LAND USES Commercial Downtown Business
SIGNATURE OF APPLICANT Heidi Nelson DATE 1-5-2022
(Must submit proof of property control)
SIGNATURE OF THE OWNER _____ DATE _____
(if other than the applicant)

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

Revised 11/30/2015

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?
The physical structure will not be changed, only the display area.
2. In your opinion, is the variance consistent with the comprehensive plan?
Yes ☒ No () Why or why not?
Only the way in which the information is displayed will change.
3. In your opinion, does the proposal put property to use in a reasonable manner?
Yes ☒ No () Why or why not?
This will dramatically increase the ability to impact the community in a positive way.
4. In your opinion, are there circumstances unique to the property?
Yes ☒ No () Why or why not?
As a multidisciplinary art center we have constantly changing displays, classes + shows. Manual updating is not adequate
5. In your opinion, will the variance maintain the essential character of the neighborhood?
Yes ☒ No () Why or why not?
The physical structure of the marquee will not change, only the display surface.
6. In your opinion, is the variance requested the minimum variance which would alleviate the practical difficulty?
Yes ☒ No () Why or why not?
We will maintain the historic preservation of the facade, and will only make the display area easier to change + read.
7. In your opinion, do the economic conditions alone constitute the practical difficulty?
Yes ☒ No () Why or why not?
Currently the Executive Director physically changes the marquee and it is not practical or safe to do so and adequately inform our community.

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:

Heidi Nelson

Date:

1-5-22

The variance being requested in for the marquee at the Paradise Center for the Arts in downtown Faribault. The request is to have the space that holds the letters be changed to a digital rather than manual application. No physical size changes will be made to the amount of space for display. The digital panels will be designed to occupy the exact same amount of space that the current, backlit white space occupies.

The request is being made for a few reasons. The manual changing of the marquee requires a staff person to climb over eight feet in the air to reach the letters. There is no option to use a device to place the letters because of the way they fit into the plexiglass holders. The changing of the marquee must happen in all kinds of weather and wind conditions.

The three sides of the marquee are utilized to advertise gallery exhibits, theater performances and entertainment that is happening within the next week. There is not an ability to advertise classes or events happening further in the future because of the space available. There is also not the ability to advertise the events, classes or exhibits in any other language than English because of the space limitations. The marquee must be changed each week unless the event is a theater performance that happens for multiple weekends. A digital marquee would also allow us to thank our community partners and notify patrons of changes in event schedules.

The current marquee is backlit and some of the bulbs are malfunctioning and blink on and off. The digital marquee would be a black screen with LED bulbs. With the digital marquee there would be the ability to still have a timer function so that the marquee would be turned off after a determined hour, (10pm?) and then not turned on again until a determined hour in the morning, (6am?). The PCA is willing to work with the city on these requirements. The current marquee is on a timer and turns on at sundown and shuts off at 10pm.

The installer would be Hamilton Signs from Rosemount and the panels would be manufactured by Daktronics in Brookings, SD. Hamilton Signs has been to the PCA and looked at the space behind the current plexiglass to make sure that there is enough structural support and there is. Any additional electrical wiring needed will be determined before installation and a local contractor will be hired.

The Mission Statement of the Paradise Center for the Arts is: *We welcome all people to experience the transformative power of the arts.* In my opinion, the ability to advertise our classes, exhibits, and events in other languages spoken by our community members allows us to live our mission more fully.





ace
00 8mm

Side Face
GT6x 45x225 8mm

00:16



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Compose

Mail

- Inbox 6,209
- Starred
- Snoozed
- Sent
- Drafts 929
- [Gmail]Trash 23
- Arts People
- Authorize.Net 3,428
- Transactions 675

- BBQ
- Board
- Booking Ideas
- Dakota
- Donation Letter, 2015
- Facility
- Hire Image
- MCA'
- MN Playlist
- MN Theatre Alliance

Chat

Spaces

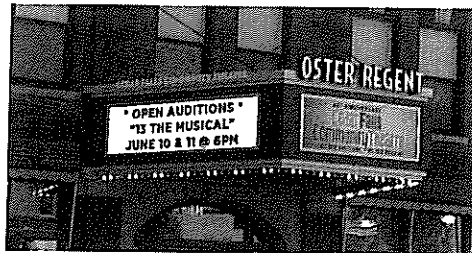
Meet

sales@hamiltonsign.com
www.hamiltonsign.com
SB719432 Hamilton LLC

From: Christopher Kretsch <Christopher.Kretsch@daktronics.com>
Sent: Monday, January 3, 2022 10:26 AM
To: Hamilton Sign <sales@hamiltonsign.com>
Subject: RE: Farstad Oil / Parkland

Jim,

Cedar Falls Community Theatre which is in the historic district in cedar falls, Iowa.. we have another theatre on hennepin but I am not 10



Thanks,

Christopher Kretsch Sales Consultant
Mobile Phone 608-250-9180
Web daktronics.com | [Facebook](#) [Twitter](#) [YouTube](#)

Customer Service: 1-888-325-7446.







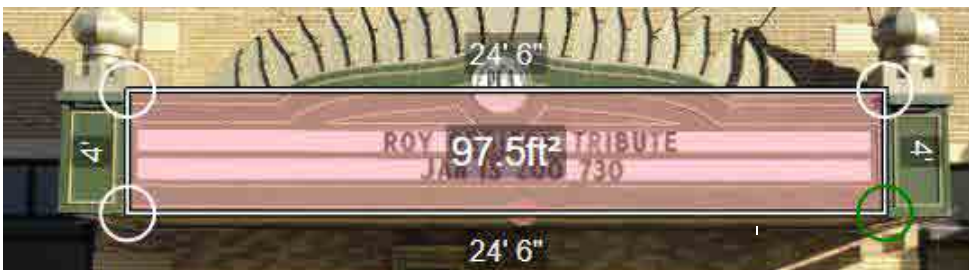
ace
00 8mm
V x 0'7" D

Side Faces
GT6x 45x225 8mm
1'9" H x 6'3 W x 0'7" D



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Total sq.ft. 97.5



Existing

8" copy letters

3" 24" 48"



Proposed 42.4 sq ft

Galaxy Outdoor Electronic Message Center
GT6x Series - 8mm RGB
GT6x- 45x900-RGB-SF

Line Spacing: 8mm
Matrix: 45 lines by 900 columns
LED Color: RGB- 281 Trillion Colors

Display Configuration: SF - single one sided display

Cabinet Design: Single Section per face
Paint: Semi-Gloss Black All Around

Active Area: 1' 3" H X 24' 0" W (Approx. Dimensions)

Cabinet Dimensions: 1' 9" H X 24' 3" W X 0' 7" D (Approx. Dimensions)

Max Power: 2300 watts/display



Client Paradise Center for the Arts
Location 321 Central Ave N
Faribault MN 55021
Description EMC DISPLAYS

Date: 1-12-22
Revision: v.1
Drawn By: _____

Description

Front Elevation - Electronic Digital full color display

P.O. BOX 148 Rosemount, MN 55068 • 651-247-8224 fax • sales@hamiltonsign.com
* This drawing is the property of Hamilton Sign Co. It is submitted to your company for the sole purpose of your consideration of whether to purchase a sign(s) manufactured according to these plans from Hamilton Sign Co. Distribution or exhibition of this plan to anyone other than employees of your company or use of this plan for construction of a similar sign to the one(s) created herein, is forbidden. In the event that such exhibition occurs, Hamilton Sign Co. will expect to be reimbursed for the time and materials used in creating this drawing.



Existing 32 sq. ft.



Proposed 10.93 sq. ft.

Galaxy Outdoor Electronic Message Center
GT6x Series - 8mm RGB
GT6x- 45x225-RGB-SF

Line Spacing:	8mm
Matrix:	45 lines by 225 columns
LED Color:	RGB- 281 Trillion Colors
Display Configuration:	SF - single one sided display
Cabinet Design:	Single Section per face
Paint:	Semi-Gloss Black All Around
Active Area:	1' 3" H X 6' 0" W (Approx. Dimensions)
Cabinet Dimensions:	1' 9" H X 6' 3" W X 0' 7" D (Approx. Dimensions)
Max Power:	610 watts/display

Galaxy Outdoor Electronic Message Center
GT6x Series - 8mm RGB
GT6x- 45x900-RGB-SF

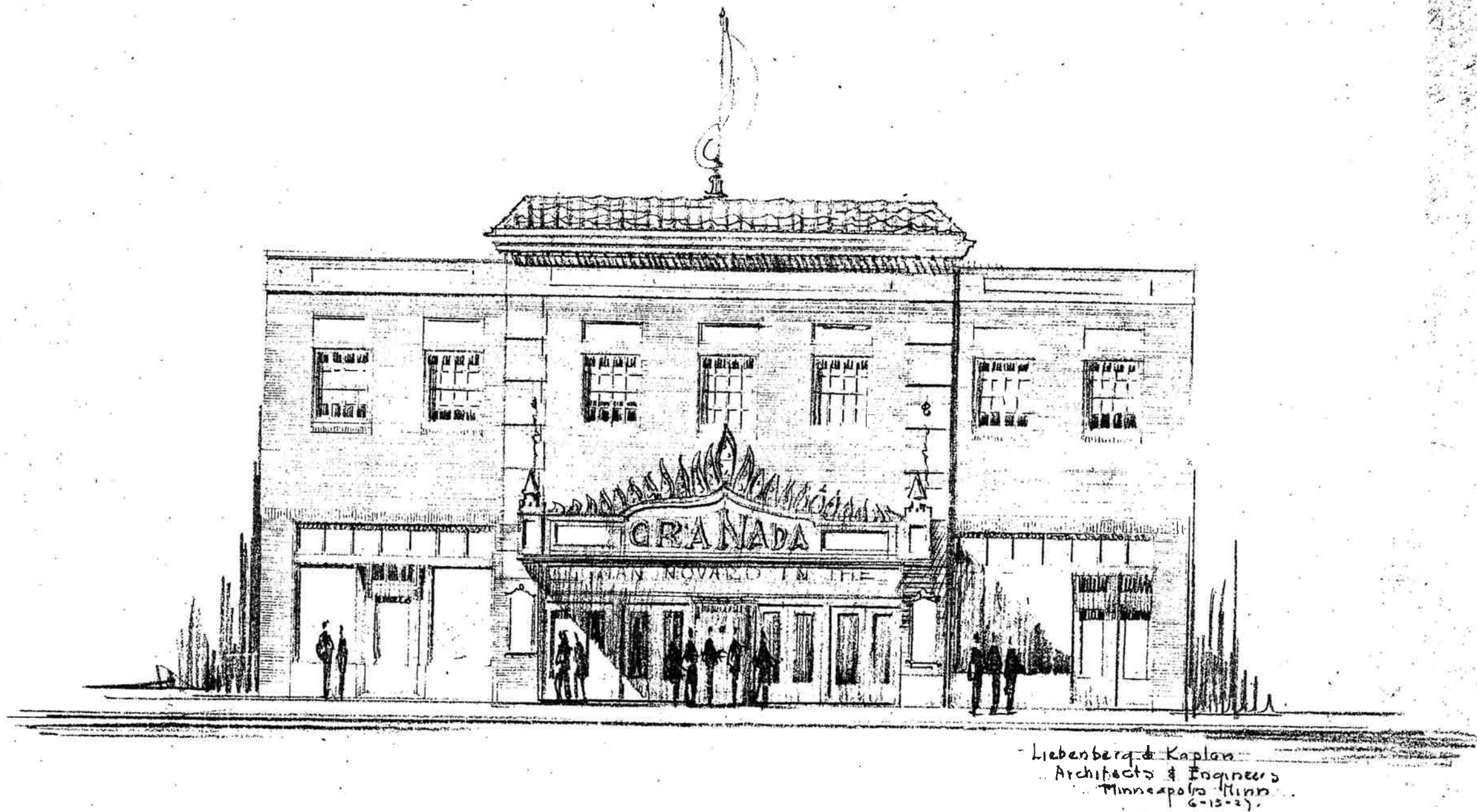


Existing 32 sq. ft.

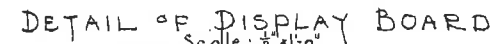


Proposed 10.93 sq. ft.

 HAMILTON SIGN <i>A Hamilton LLC Company</i>	Client Paradise Center for the Arts	Date: 1-12-22	Description	PO BOX 148 Rosemount, MN 55068 • 651-247-8224 fax • sales@hamiltonsign.com * This drawing is the property of Hamilton Sign Co. It is submitted to your company for the sole purpose of your consideration of whether to purchase a sign(s) manufactured according to these plans from Hamilton Sign Co. Distribution or exhibition of this plan to anyone other than employees of your company or use of this plan for construction of a similar sign to the one(s) created herein, is forbidden. In the event that such exhibition occurs, Hamilton Sign Co. will expect to be reimbursed for the time and materials used in creating this drawing.
	Location 321 Central Ave N Faribault MN 55021	Revision: v.1	Front Elevation - Electronic Digital full color display	
	Description EMC DISPLAYS	Drawn By: _____		



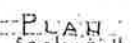
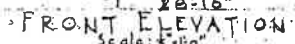
Elev. 110'



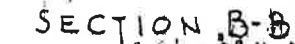
Scale: $\frac{1}{2}$ " = 1'-0"

STANDARD PUBLIC ILLUMINATED
GLASS SIGN SEE SAMPLE

D o.



LIEBENBERG & KAPLAN
ARCHITECTS-ENGINEERS
MPLS. MINN.



Panels	106 - 40w	4/240w	5air. On N.S.#2
Border	65 50w.	3250w	4air. On N.S.#1
Sign	5 60w.	300w	1air
Letters	120 Fram. 40w.	1760w	2air
	44 50w	1600w	2air On N.S.#2
Flares	27 15w	1760w	2air
	126	1240w	2air On N.S.#3
		3240w	2air
Towers	122 15w.	1830w	2air. On N.S.#3
	10300.0 Hts.	25800w.	30air.



319-323 Central Ave. (July 2019 Google Earth)



319-323 Central Ave. (July 2019 Google Earth)



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: Peter Waldock, Planning Coordinator
MEETING DATE: February 7, 2022
SUBJECT: Application for a variance from Shoreland Overlay District impervious surface coverage limits for construction of a new garage driveway at a residence located at 1906 2nd Ave NW

Background:

Jonathan Woods on behalf of Jeremiah and Bonnie Jo Quinnell (owners), has requested a variance from the shoreland overlay district impervious surface coverage limits for residential uses. They are planning to construct a new 32' X 24' (768 SF) three-car garage at 1906 2nd Ave NW. The property is zoned R-3, Medium Density Residential District. The garage will be placed as far west as possible on site to screen the home from noise coming from events at the Fairgrounds.

The site is developed with a single-family home (built in 1923) with a footprint of about 884 SF and a one car garage that is deteriorated. The driveway appears in Beacon photos to be unpaved gravel, close to the south property line. The lot is 50' wide and 141' deep (7,050 SF) according to Beacon. Impervious surface currently covers about 2,750 SF on site (39% coverage).

The property backs up to the Fairgrounds race track area. Neighboring properties north and south are residential and vacant commercial property (future Kwik-Trip site) is to the east across 2nd Ave. NW.

Summary and Discussion:

- Shoreland Requirements. Sec. 13-700 of the UDO states that impervious surface coverage of lots must not exceed twenty-five (25) percent of the lot area. This requirement applies only to the portion of the lot within the Shoreland District.

In this case the entire lot is in Shoreland Overlay area. The garage and driveway extension as planned will bring the overall coverage to about 3,300 SF (47%) based on a 16' wide driveway about 3' from the south lot line which widens out to the garage width on the landing in front of the garage.

- Shoreland Stormwater Management. Development shall incorporate reasonable methods to decrease sediment and pollutants in runoff from impervious surfaces as required in the City's Surface Water Management Plan.

Raingardens and rain barrels at single family homes in the Shoreland district have been required in the past for homes in this overlay district.

- Driveway Pavement. Sec. 8-100 of the UDO requires all off-street parking areas, all access drives leading to such parking areas or garages, and all other areas upon which motor vehicles may be located, shall be surfaced with a dustless all-weather hard surface material capable of carrying a wheel load of four thousand (4,000) pounds. Acceptable surfacing materials include asphalt, concrete, brick, cement pavers or similar materials installed and maintained per industry standards.

The gravel driveway will need to be paved to meet this requirement, as part of this application.

- Garage Design. Sec. 6-180 Garages of 200 SF or greater will have the same or similar exterior finish and building materials as those of the main building. Accessory buildings shall be compatible with the principal building on the lot.

The new garage will need to have the same siding and roofing materials and colors to match the house. The current garage matches the house in this way.

Staff recommends approval of the variance in this case subject to the

following conditions of approval.

- 1) The gravel driveway must be paved as required by Sec. 8-100 of the UDO.
- 2) Rain gutters shall be required for the garage and home.
- 3) Rain gardens or rain barrels shall be required for stormwater filtering on site.

Recommendation:

Approve findings in support of the variance application for 1906 2nd Ave NW as listed in the draft resolution attached with this report.

Attachments:

1. Draft (v2) 2022-____ Variance for Impervious Coverage
2. Map and Variance Application

[Space above saved for County Recorder's stamp]

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION 2022-____

APPROVE A VARIANCE TO ALLOW CONSTRUCTION OF A NEW THREE CAR GARAGE AND DRIVEWAY EXTENSION TO EXCEED IMPERVIOUS SURFACE LIMITS OF THE SHORELAND OVERLAY DISTRICT AT 1906 2ND AVENUE NW

WHEREAS, Jerimiah and Bonnie Jo Quinnell (Owners) are requesting approval of a variance to allow a proposed three-car garage and driveway extension to exceed the maximum allowable impervious coverage for a residential use in the Shoreland Management Overlay District on property commonly known as 1906 2nd Avenue NW (hereinafter referred to as "the subject property") legally described in Exhibit A; and

WHEREAS, the underlying zoning the subject property is in the R-4, High Density Residential District; and

WHEREAS, the subject property currently has an impervious coverage of about 39%; and

WHEREAS, after construction of the new garage and driveway extension, the subject property is expected to have about 47% percent impervious coverage; and

WHEREAS, Section 13-700, (A), (5) of the City's Unified Development Ordinance limits impervious coverage of the subject property to twenty-five (25) percent, due to its proposed residential use, which necessitates

consideration of the requested variance described in the first recital; and

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

WHEREAS, the Planning Commission, on the 7th day of February, 2022, following proper notice, held a public hearing regarding the request, and following said public hearing made findings and recommended that the City Council approve the request; and

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

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

Expanded Finding: Granting the requested impervious coverage variance allows construction of a new garage to replace an existing garage that has deteriorated and is becoming blighted.

2. The variance is consistent with the Comprehensive Plan.

Expanded Finding: Granting the requested impervious coverage variance improve this property and is consistent with the Comprehensive Plan, the proposal can improve water quality over what currently exists by installing rain barrels and rain gardens on site, which the City's Comprehensive Plan supports.

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

Expanded Finding: The subject property is developed as a single family residence constructed prior to current zoning of the property and the current impervious coverage standards for residential development in the shoreland management overlay district. The development is found to reasonable for single family homes in the City.

- 4. Unique circumstances apply to the property, which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property has not had control. The unique circumstances do not result from the actions of the applicant.**

Expanded Finding: The subject property was developed many years before the City's current Shoreland Management Overlay District requirements. The subject property is unique in that it is a lawful non-conforming site too small to be developed under current shoreland district requirements which is resulting in the high impervious surface coverage calculations even though the development of is of a reasonable scale and scope for a typical residential lot.

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

Expanded Finding: The subject property has a deteriorated garage that will be replaced by this proposal and will be in character with the surrounding residential uses and adjoining Fairgrounds uses.

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

Expanded Finding: The proposed improvements provide a minimal amount of impervious coverage while still allowing for the reasonable development of a residential garage that is consistent with the City's vision for the subject property.

- 7. Economic conditions alone do not constitute practical difficulties.**

Expanded Finding: Economic conditions alone do not constitute the practical difficulties of complying with the required impervious coverage standards.

WHEREAS, the City Council at a public meeting, on the 22nd day of February 2022, considered the request, the report to the Planning Commission, and the results of the public hearing, and concurred with all findings of the Planning

Commission as stated in the above recitals and hereby makes the identical findings.

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

Section 1: Approval of the Requested Variance. The City Council hereby approves the requested variance to exceed the maximum allowable twenty-five (25) percent impervious coverage on the subject property legally described in the first recital. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

Section 2: Conditions Attached to the Approval of the Variance. Approval of the requested variance includes the following conditions:

1. The impervious coverage of the subject property shall be less than fifty (50) percent and the owners shall take all reasonable steps to minimize impervious coverage.
2. The City shall not issue a final certificate of occupancy for the proposed building until all required stormwater improvements such as rain gardens and rain barrels have been install to the satisfaction Rice SWCD and the City Engineer.
3. The City may inspect the subject property at all reasonable times for purposes of ensuring compliance with the conditions of this variance.
4. The Owner shall obtain the necessary building permits, grading permits and all other applicable permits before construction can occur on the subject property.
5. The driveway must be paved in accordance with Sec. 8-100 of the Unified Development Ordinance.
6. Rain gutters leading to the rain gardens or rain barrels shall be required for the garage and home on site.

Section 3. The Mayor, City Administrator, City Staff, and the City's Consultants are hereby authorized and directed to take all additional steps and actions necessary or convenient in order to accomplish the intent of this Resolution.

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

Date Adopted: February 22, 2022

Faribault City Council

—

Kevin R. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A Straight River Apartments Site Plan, August 21, 2019

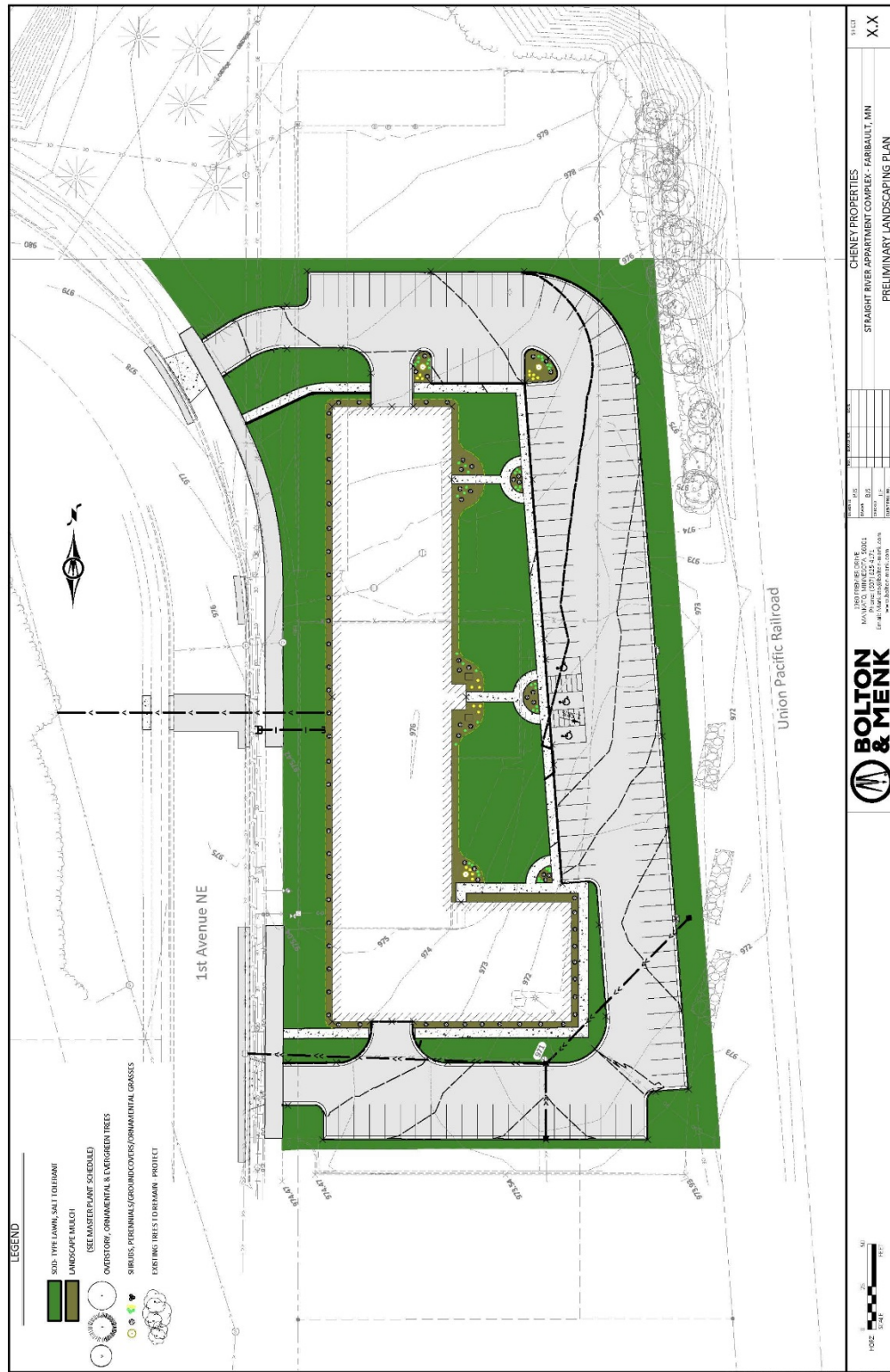
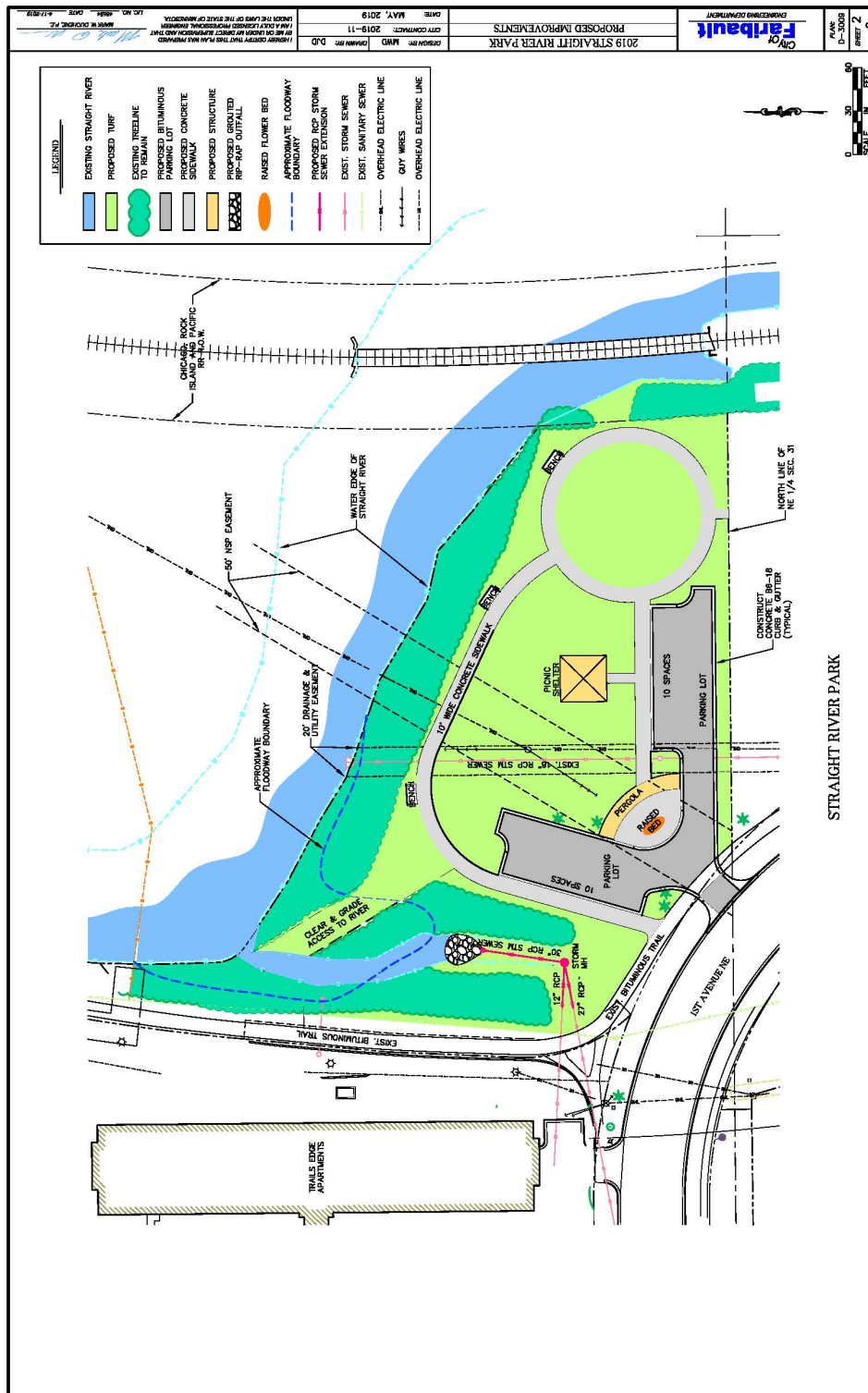


Exhibit B
City Park Concept Plan, April 17, 2019



1906 2nd Ave NW



Legend

Shoreland Overlay District	Single Family Residential	Residential Manufactured Home	Central Business District	Other
Zoning	Single and Two Family Residential	Commercial	Heavy Industrial	Agriculture/Open Space
<all other values>	Low Density Residential	Community Commercial	Industrial Park	Transitional Urban Development
Residential	Medium Density Residential	Highway Commercial	Light Industrial	Downtown Sign District
	High Density Residential	Neighborhood Commercial		



APPLICATION FOR REQUESTED ACTION
Variance

Planning Case # _____
Filing Fee _____
Hearing Date _____

APPLICANT Pollock Construction E-MAIL pollockconstructionllc@gmail.com
PHONE 612-366-2674 (H) _____ (W) 612-597-9159 (FAX) _____
APPLICANT ADDRESS 2846 Brockman Ct. Northfield 55057
OWNER (if other than applicant) Jeremiah R Quinnell & Bonnie Jo Quinnell
PHONE 612-501-9765 (H) _____ (W) _____ (FAX) _____
OWNER'S ADDRESS 1966 2nd Ave NW Faribault 55021
ADDRESS OF PROPERTY ↓ _____
LEGAL DESCRIPTION P1D 1830201006 _____
ACREAGE/SIZE OF PROPERTY 7,050 sq ft _____
CURRENT ZONING R4 _____
EXISTING USE OF PROPERTY Personal Residence _____
PROPOSED USE OF PROPERTY No change in use of property. _____
(Including number of units per acre and types of uses if mixed use)
IDENTIFY ALL ADJACENT LAND USES Single family residential + Fairgrounds _____
SIGNATURE OF APPLICANT [Signature] DATE 1-14-22 _____
(Must submit proof of property control)
SIGNATURE OF THE OWNER [Signature] DATE 1-14-22 _____
(if other than the applicant) [Signature]

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

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?

We are not violating the expectations of a detached garage.

2. In your opinion, is the variance consistent with the comprehensive plan?
Yes (✓) No () Why or why not?

The comp plan shows this area as residential.

3. In your opinion, does the proposal put property to use in a reasonable manner?
Yes (✓) No () Why or why not?

The current garage is not functional.

4. In your opinion, are there circumstances unique to the property?
Yes (✓) No () Why or why not?

The lot is much smaller than most residential lots.

5. In your opinion, will the variance maintain the essential character of the neighborhood?
Yes (✓) No () Why or why not?

Building a usable garage will maintain the character of the neighborhood.

6. In your opinion, is the variance requested the minimum variance which would alleviate the practical difficulty?
Yes (✓) No () Why or why not?

Lot coverage is the minimum variance needed.

7. In your opinion, do the economic conditions alone constitute the practical difficulty?
Yes () No (✓) Why or why not?

This lot was created before the shoreland overlay.

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:

Date:



1-14-22

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 _____



DATE _____

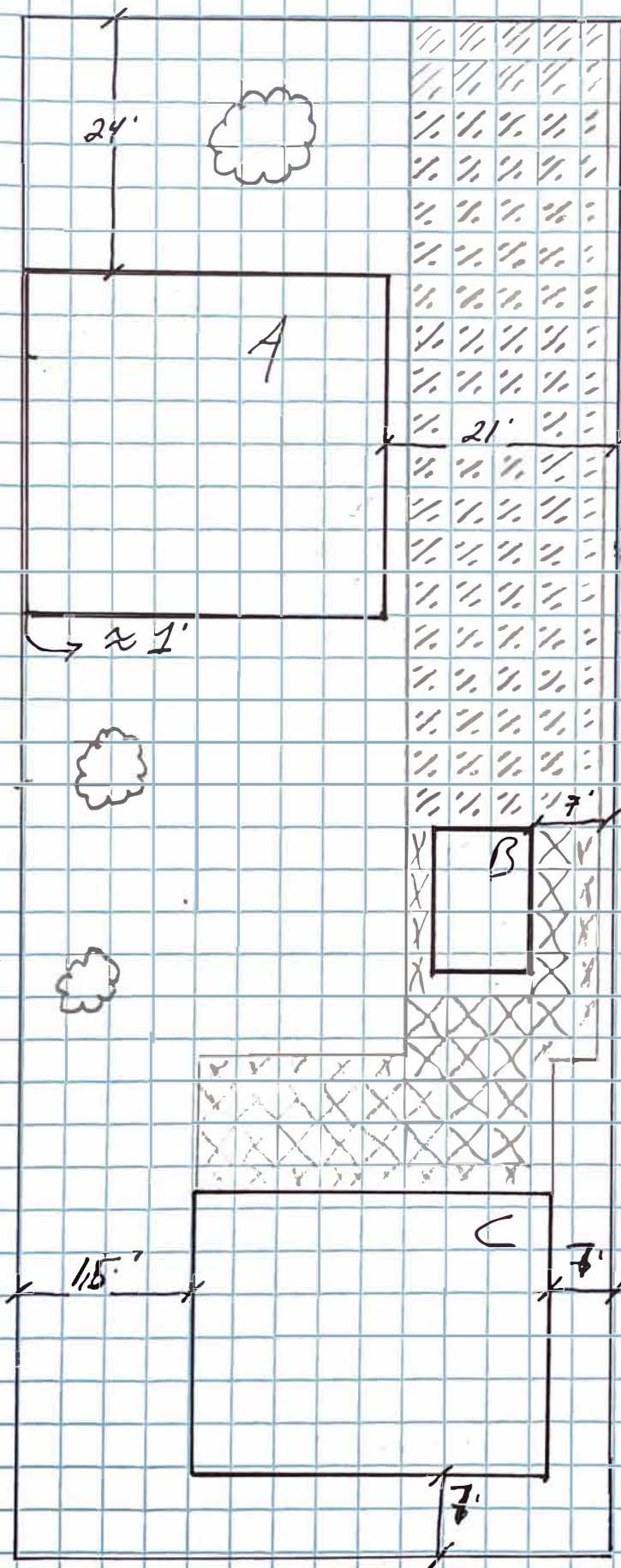
1-14-22

Planning Case # _____

2nd Ave NW

N
←

1-14-22

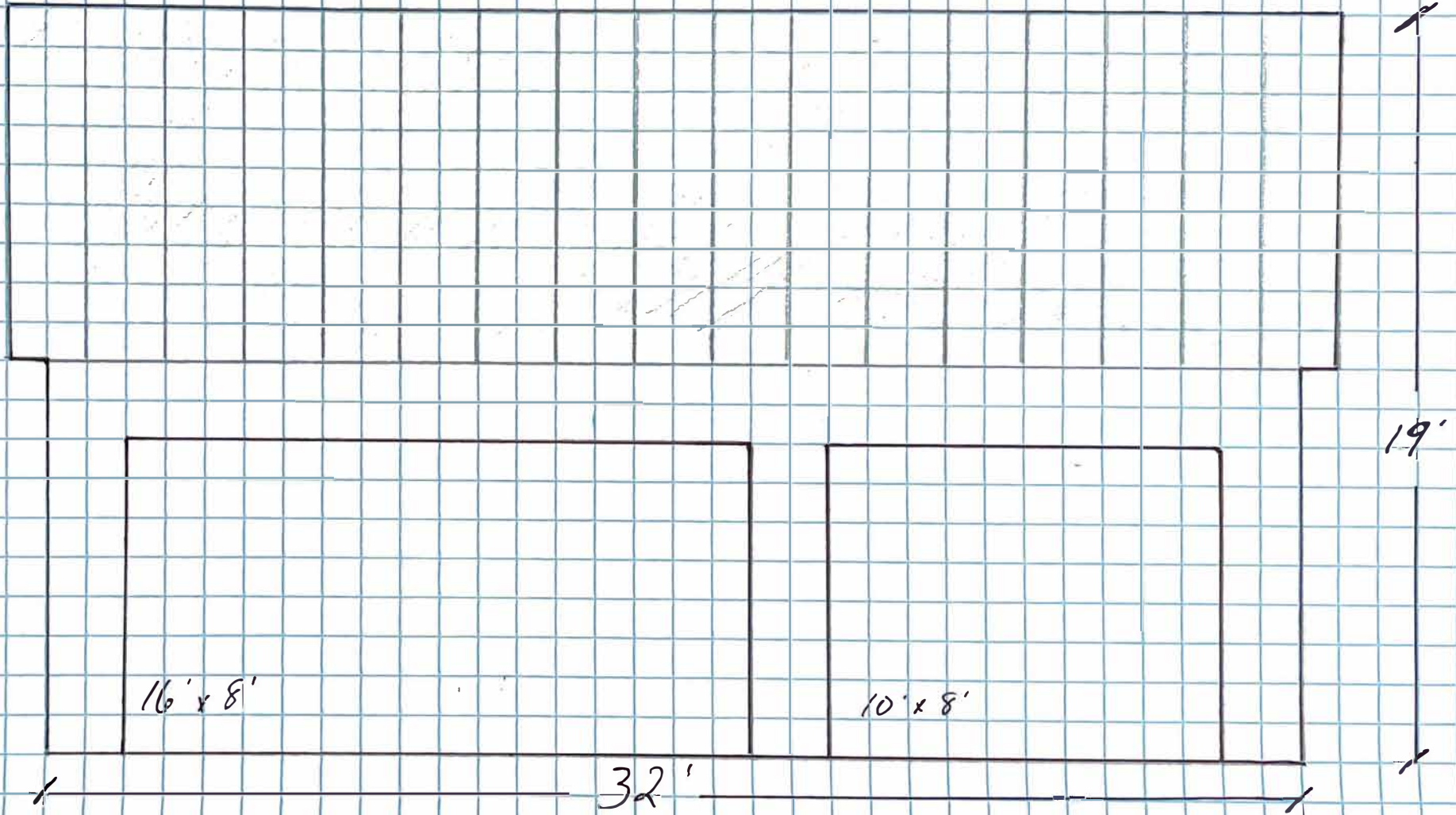


- Notes:

- $\frac{1}{16}" = 1'$
- A = existing home
- B = existing garage
- C = proposed garage
- = existing driveway
- = driveway extension
- = existing fences

1906 2nd Ave NW
East Elevation 1-14-22
Proposed Garage Rendering
□ = 1'

8
12

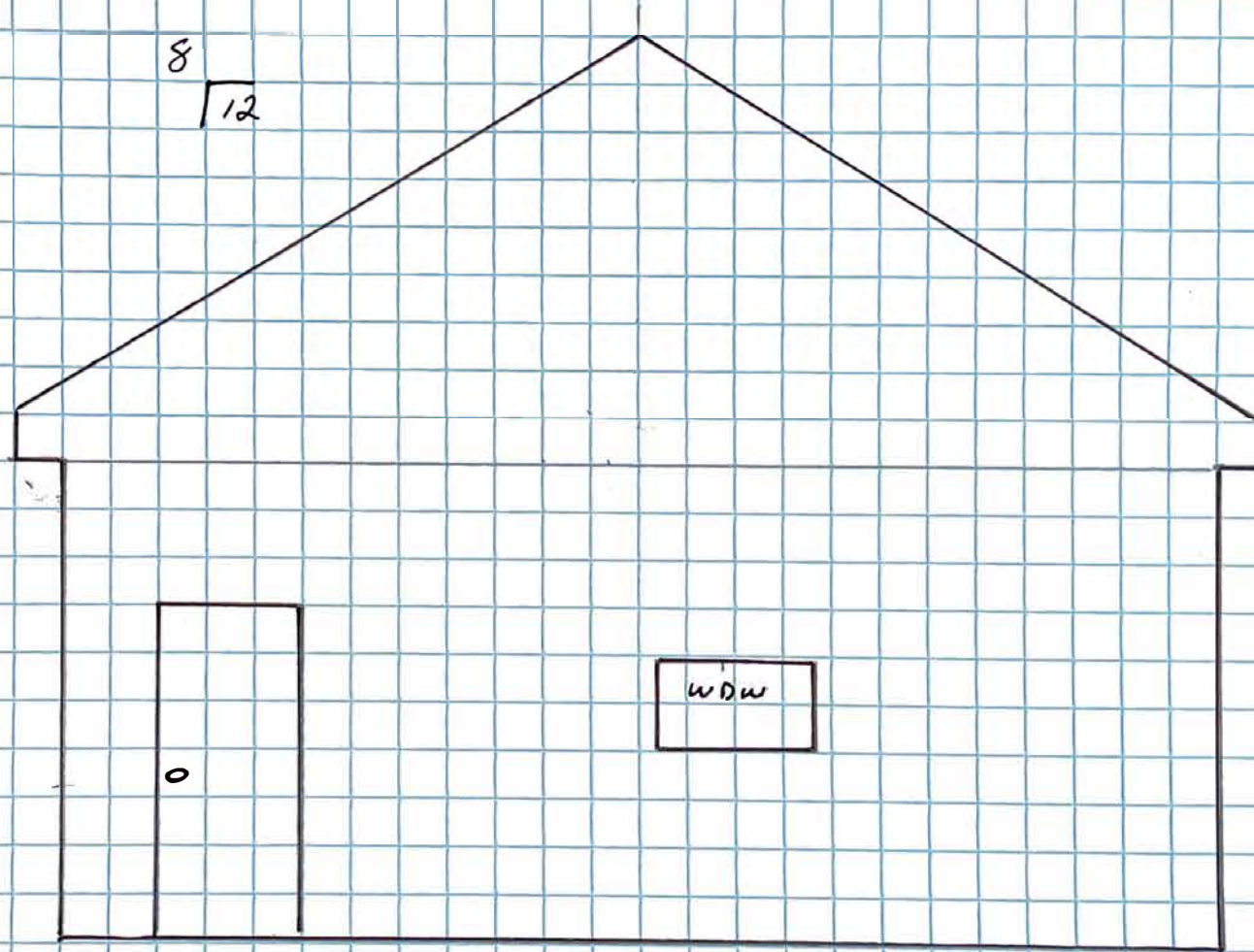


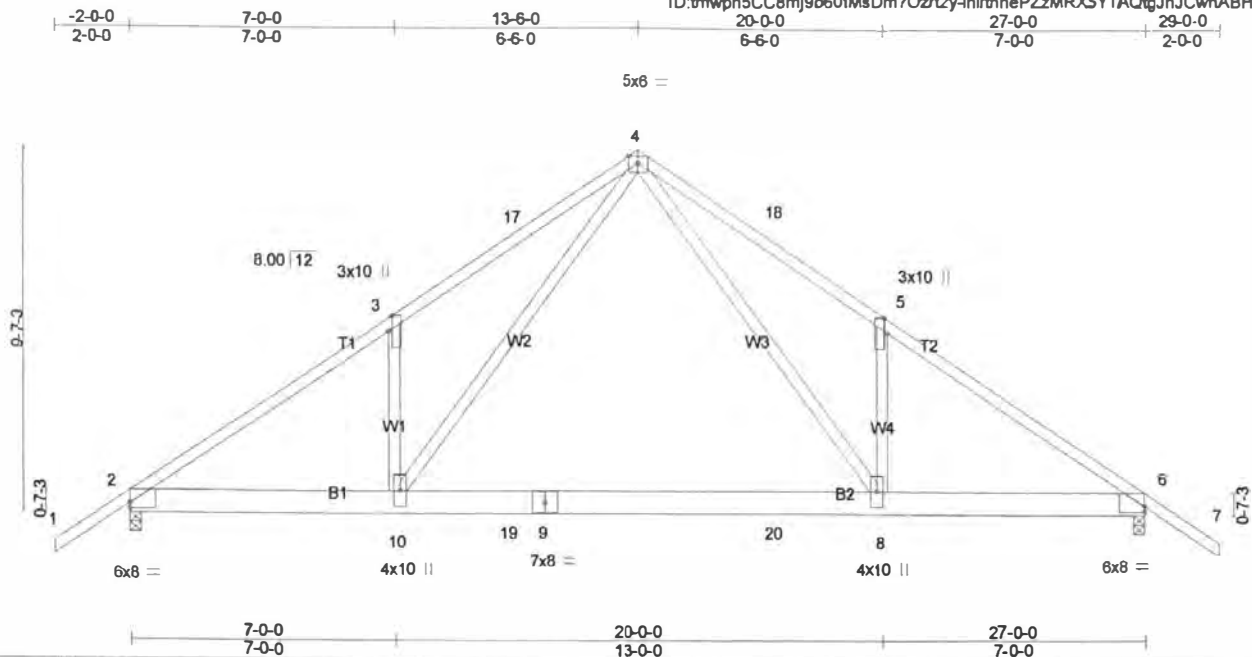
1906 2nd Ave NW

1-14-22

North Elevation
Proposed Garage Rendering

□ = 1'





Scale = 1:59.7

Plate Offsets (X,Y) - [2:Edge,0-1-13], [3:0-4-15,Edge], [5:0-4-15,Edge], [6:0-0-0,0-1-13]

LOADING (psf)	SPACING	CSI	DEFL	in (loc)	I/defl	L/d	PLATES	GRIP
TCLL 35.0	Plate Grip DOL 1.15	TC 0.55	Vert(LL) -0.16	8-10	>999	240	MT20	220/190
TCDL 10.0	Lumber DOL 1.15	BC 0.46	Vert(CT) -0.50	8-10	>651	180		
BCLL 0.0 *	Rep Stress Incr NO	WB 0.21	Horz(CT) 0.03	6	n/a	n/a		
BCDL 10.0	Code IRC2018/TPI2014	Matrix-MSH						
							Weight: 175 lb	FT = 20%

LUMBER-

TOP CHORD 2x4 DF-N 2400F 2.0E
 BOT CHORD 2x8 SP M 23
 WEBS 2x4 DF-N 2400F 2.0E *Except*
 W4,W1: 2x4 DF-N No.1/No.2

BRACING-

TOP CHORD
 BOT CHORD

Structural wood sheathing directly applied or 4-1-9 oc purlins.
 Rigid ceiling directly applied or 10-0-0 oc bracing.

MiTek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS. (lb/size) 2=2055/0-3-8 (min. 0-3-4), 6=2055/0-3-8 (min. 0-3-4)
 Max Horz 2=-159(LC 10)
 Max Grav 2=2074(LC 17), 6=2074(LC 18)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
 TOP CHORD 2-3=-3105/0, 3-17=-3146/0, 4-17=-3005/0, 4-18=-3005/0, 5-18=-3146/0, 5-6=-3106/0
 BOT CHORD 2-10=0/2573, 10-19=0/1515, 9-19=0/1515, 9-20=0/1515, 8-20=0/1515, 6-8=0/2479
 WEBS 4-8=0/1823, 5-8=-620/153, 4-10=0/1823, 3-10=-620/153

NOTES-

- 1) Unbalanced roof live loads have been considered for this design.
- 2) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=6.0psf; BCDL=6.0psf; h=20ft; B=45ft; L=28ft; eave=4ft; Cat. II; Exp B; Enclosed; MWFRS (directional) and C-C Exterior(2E) -2-0-0 to 0-10-8, Interior(1) 0-10-8 to 13-6-0, Exterior(2R) 13-6-0 to 16-6-0, Interior(1) 16-6-0 to 29-0-0 zone; cantilever left and right exposed; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
- 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- 4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members, with BCDL = 10.0psf.
- 5) This truss is designed in accordance with the 2018 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
- 6) Load case(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 has/have been modified. Building designer must review loads to verify that they are correct for the intended use of this truss.

LOAD CASE(S) Standard

- 1) Dead + Roof Live (balanced): Lumber Increase=1.15, Plate Increase=1.15
 Uniform Loads (plf)
 Vert 1-4=-90, 4-7=-90, 10-11=-20, 8-10=-80, 8-14=-20
- 2) Dead + 0.75 Roof Live (balanced) + 0.75 Uninhab. Attic Storage: Lumber Increase=1.15, Plate Increase=1.15
 Uniform Loads (plf)
 Vert 1-4=-72, 4-7=-73, 10-11=-35, 10-19=-95, 19-20=-110, 8-20=-95, 8-14=-35
- 3) Dead + Uninhabitable Attic Without Storage: Lumber Increase=1.25, Plate Increase=1.25
 Uniform Loads (plf)
 Vert 1-4=-20, 4-7=-20, 10-11=-40, 8-10=-100, 8-14=-40
- 4) Dead + 0.6 C-C Wind (Pos. Internal) Case 1: Lumber Increase=1.60, Plate Increase=1.60

Continued on page 2

Pollock Construction LLC

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Northfield, MN 55057

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Email: pollockconstructionllc@gmail.com

Gen. Con. Lic. #: BC634409

Jeremiah Quinnell

01/14/2022

1906 NW 2nd Avenue

Faribault, MN 55021

Ph: 612-501-9765

Email: tatsbyq@yahoo.com

Variance Request

To Whom it May Concern:

The purpose of this document is to identify and summarize the reason(s) a variance should be approved for this project.

Mr. & Mrs. Jeremiah Quinnell have engaged Pollock Construction LLC to build a new, detached garage that measures 32' x 27'. The new garage will be replacing a current one stall garage that is blighted and in risk of collapse. The new garage will be 7' from the West property line, 7' from the South property line, 15' from the North property line and approximately 56' from the existing home.

This variance is being triggered by the fact that the property is located in the Shoreland Overlay District. Many exceptional conditions and peculiar difficulties make this variance request a necessity. For instance, the owners do not have control over their lot size. This lot was developed many years before the Shoreland District came into existence in this area.

Furthermore, this lot, in comparison to many is exceptionally small. Reaching a impervious surface coverage requirement on a lot of this size is exceptionally difficult. In addition, the Western property line is shared with the Rice County Fair Grounds. During the Fair and other events, the noise generated creates a unique nuisance. By positioning the garage as described above, there is the hope that some of the noise will be deflected and or dampened. Furthermore, the proposed garage does not violate the code or expectations therein. The proposed garage also meets all setback requirements.

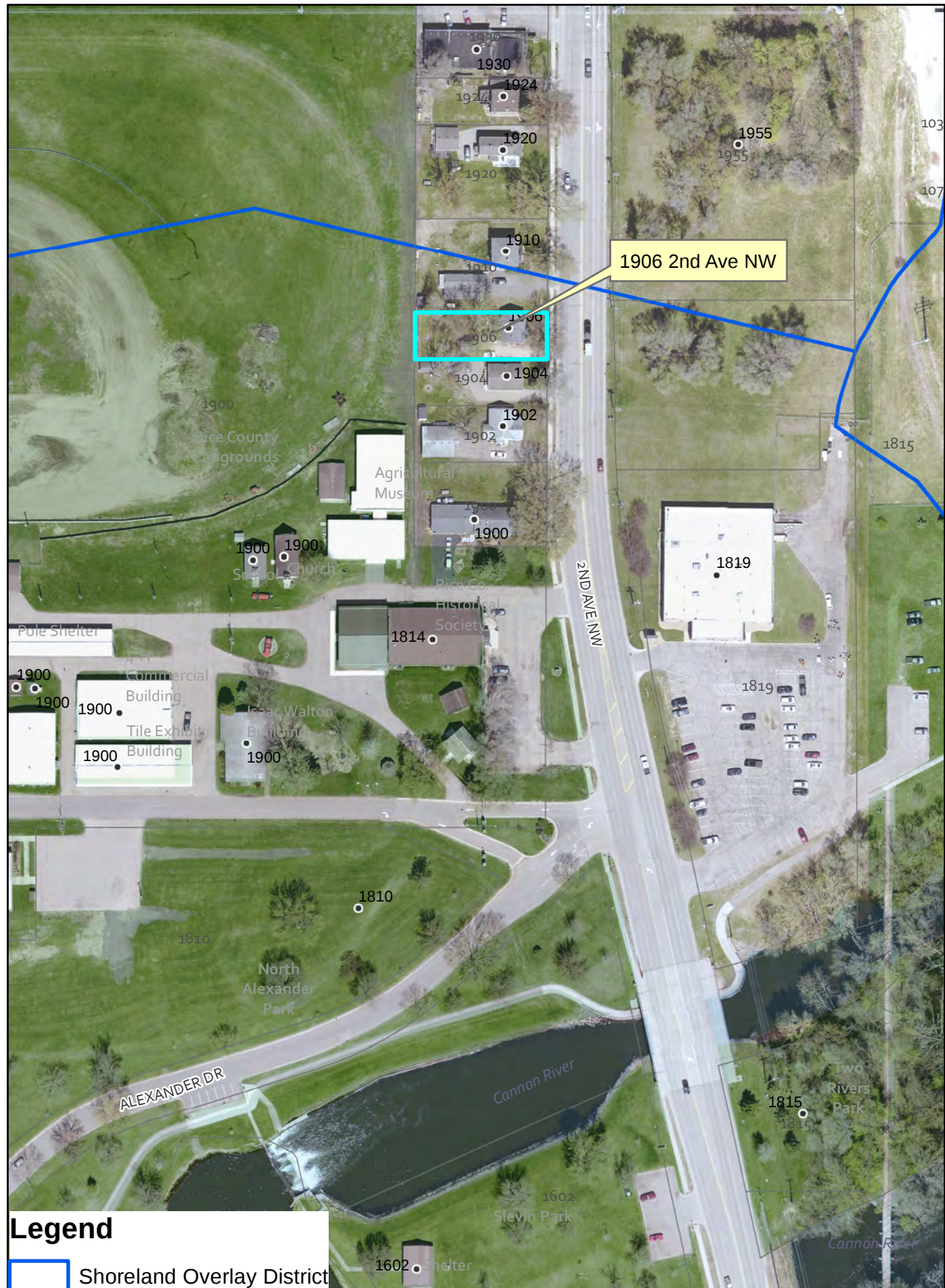
Finally, the new garage will be an improvement to the property. The current garage has many deficiencies and is beyond repair. Having a new, larger garage will allow the owners better and more secure storage.



Alternate ID n/a
Class 1A-Residential Homestead
Acreage n/a

Owner Address JEREMIAH QUINNELL
1906 2ND AVE NW
FARIBAULT MN 55021

1906 2nd Avenue NW





Request for Planning Commission

TO: Planning Commission
THROUGH:
FROM:
MEETING DATE: February 7, 2022
SUBJECT: Planning Commission Updates

Background:

Recommendation:

Attachments: