PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS MONDAY, OCTOBER 6, 2025 6:00 PM

Meeting Items

1. Call to Order/ Approve Agenda

   A regular meeting of the Planning Commission was called to order by Chair Chuck Ackman at 6:00 p.m. Commissioners in attendance were Samantha Green, Barton Jackson, Ed Miglio, Michael Salt, Steven White, Tina Wilson, and Chair Chuck Ackman. Also in attendance were the City Planner I, Leslie McGilivray-Rivas, and the Administrative Assistant II, Kari Casper.

2. Approval of the Minutes

   A motion was made by Samantha Green, seconded by Barton Jackson, to approve the meeting minutes of September 15, 2025, as presented. The motion passed unanimously.

3. Public Hearings

A. Resolution 2025-XXX Approve Variance for Smaller Dwelling Unit Size at 301 Central Ave

   Leslie McGillivray-Rivas gave a presentation on behalf of Nort Johnson and Faribault Downtown Central LLC, who have submitted an application and fee for a variance to create a dwelling unit of approximately 368 square feet that's smaller than the minimum allowed size of 550 square feet for a studio or efficiency apartment. The request is to facilitate meeting building code requirements for subdividing the property and creating property lines through buildings. Ms. Rivas showed a map of the previously platted property, which showed a larger room divided by a parcel line. The parties intend to divide the existing room by putting a firewall and creating a hallway on one side and, on the other side, a small unit apartment. Staff feel that all the criteria have been met and would recommend approval to the council.

   After her presentation, Chair Ackman then brought the matter back for discussion. Commissioner Wilson stated that in criteria number 3, the occupancy is limited to two; however, she did not see that as a condition in the resolution. Commission Wilson had a second question about the 235sf. If that unit is going to stay a two-bedroom, then it would meet the code for square footage. She asked if we needed a reciprocal variance for this? What's happening in unit no 1, lot one? Rivas said no, that it would fall under an existing, non-conforming. Wilson asked if it was going to be a two-bedroom. Rivas then had some technical issues.

   Chair Ackman then opened the matter for a Public Hearing at 6:10 p.m. Nort Johnson, Director of the Faribault Chamber of Commerce, came forward and provided an update on the status of the 7 storefronts and 10 existing apartments. The request is to get this variance through to complete the subdivision and have potential buyers lined up to move them to the next level. White asked if this was going to be a 2-bedroom, and without answering this, and this is intended as a 3-bedroom, he would not be voting in favor of this. Rivas pulled up what she was looking for, and Johnson responded by stating that 301 Apt. 4 would stay a 2-bedroom unit with the additional space being absorbed into 301 Apt. 4. The circled area in the hallway would become a fire door. The original walls would be repaired, and the easement adopted would make that a shared egress. Chair Ackman then asked what Faribault Industrial Corp.'s involvement was in this. Johnson responded by saying that Faribault Industrial Corporation is an investor in Faribo Downtown Central — there are four investors in that. Chair Ackman then said that the only reason for full disclosure was that he inherited one share of the Industrial Corp from his father. He then stated that he thought it was fine and hadn't gone to a meeting in years. Rivas then stated that since the Chair has disclosed an interest, he should recuse himself. Chair Ackman said that he was fine turning over to Vice Chair Bart Jackson. He said that if anyone felt strongly, he'd be happy to turn it over to Bart, and he handed the gavel over to Bart Jackson. Johnson added that no one from the Industrial Corp who has shares receives any dividends for their interest and, therefore, there is no financial gain. The public hearing closed at 6:15 and asked for further discussion.

In further discussion, Commissioner Ackman asked when they did they review the plat and Rivas said it was in June. Commissioner Salt added that this is a micro-unit, and you cannot put a bedroom in there. Wilson again stated that she just wanted to make sure that it was listed as a condition. It says one thing, but it didn't transfer over. Ackman stated that he was fine with this, but asked if there had been any requests in the past requesting this. Rivas asked Casper for the history, and Casper had no recollection of anyone asking for this type of request. Commissioner Salt didn't feel that this was a concern. Commissioner Wilson said that Apartment 10 would be limited to two people. Area #3 in the report says to make it a condition in the report. Commissioner Wilson said that her questions were answered, and she's fine with that, but she said that we should either change the criteria or make it a condition and be consistent.

Commissioner Wilson then made a motion to approve the variance with the condition of two occupants in as stated in Criteria No. 3, which would require an amendment to the Resolution, adding that it as a requirement so that the conditions and the criteria match. Commissioner White seconded her motion. A vote ensued, but was unable to distinguish between the ayes and nays. Vice Chair Jackson then asked for a roll call vote.

Commissioner Green - Nay
Commissioner Jackson - Nay
Commissioner MIgilio - Nay
Commissioner Ackman - Nay
Commissioner Salt - Nay
Commissioner White - Aye
Commissioner Wilson - Aye
The vote was 5 Nay and 2 Aye - the motion failed

Commissioner Green then made a motion to approve the action as presented. There was a request for clarification, and Commissioner Salt seconded Commissioner Green by stating that there would be a removal of the sentence limiting the number of people in their unit. Vice Chair Jackson then asked for a vote, which was interpreted as 6 ayes and 1 nay. Vice Chair Jackson then asked for a roll call vote.

Commissioner Green - Aye
Commissioner Jackson - Aye
Commissioner Migilio - Aye
Commissioner Ackman - Aye
Commissioner Salt - Aye
Commissioner White - Nay
Commissioner Wilson - Aye
Motion carried on a 6/1 vote with Commissioner White dissenting.

4. Requests to be Heard -NONE.

5. Items for Discussion - NONE

6. Routine Business - NONE

7. Board & Commissions Updates & Reports

   Leslie McGilivray-Rivas said that staff will be reviewing the attendance policy.

8. Adjournment

   Motion by Samantha Green, seconded by Tina Wilson, to adjourn at 6:28 p.m. The motion passed on a 7\0 vote.

   By: Kari Casper

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