



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, MAY 2, 2022

6:00 PM

1. Call to Order/Approve Agenda
2. Approval of the Minutes from April 18, 2022
3. Public Hearings
 - A. Approve Preliminary Plat and Final Plat of CANNON RIVER VIEW (continued from April 18, 2022)
 - B. Conditional Use Permit for a jail associated with the proposed Rice County Public Safety Center east of State Highway 3 and 30th Street NW, on properties with Rice County PIDs 18.19.1.00.002, 18.19.1.25.001, and 18.19.1.50.001.
 - C. Amend the Development Standards Outlined in Section 3 of Ordinance 2007-19 Rezoning of Real-Property to Create a Planned Unit Development Mixed -Use for Divine Mercy Catholic Church
 - D. Final Plat approval of RSA Properties LLC Subdivision at 1919 2nd St NW, PID # 18.36.2.50.018
 - E. Conditional Use Permit for single-family residential use in the C-2, Highway Commercial District at 930 1st St. NE, PID # 18.32.2.75.006
4. Project Updates and Other Items
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, April 18, 2022

6:00 PM

1. Vice Chair Campbell called the meeting to order at 6:00 p.m.

Chair Ackman showed up at 6:02 p.m.

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

Members Absent: None.

2. Approve the March 21, 2022 Regular Meeting Minutes.

A motion was made by Commissioner Albers and seconded by Commissioner Jackson to approve the minutes of March 21, 2022 as presented.

Motion passed on a 6/0 vote.

3. Public Hearings

- A. Variances from setback requirements for parking surfaces/driveways and trash enclosure screening in front of the building for Bauer Restoration at 933 Hulett Ave.

Bruce Bauer on behalf of Miller Bauer Properties LLC (property owner) is seeking variances from setback requirements for parking area / driveway pavement and for a trash enclosure screen in front of the building at 933 Hulett Ave. The site is located in the Shoreland Protection District and I-2 Heavy Industrial zoning district.

The pavement was installed in part to protect underground utilities along this property line. The site plan was originally approved with a front yard trash enclosure, but the approved location was not workable in that it interfered with access to the rear of the building. Upon receipt of the required as-built drawing for the development on this site, City Staff noted some improvements that did not follow the site plan approved with the CUP in Resolution 2015-098 and variance applications were suggested as the best solution to address this situation. It was noted that a stormwater agreement is needed. DNR had no objections to the request. The site does have a stormwater retention pond on it. Waldock outline the proposed conditions of approval. Waldock noted that the owner was present.

Vice Chair Campbell brought the matter back to the board for discussion. Commissioner White added that he would like to see a gate added to the trash enclosure and asked if the owner, Bruce Bauer, could come forward to discuss this suggestion. City staff did not talk to the owner about this and deferred to Mr. Bauer. Temple asked what the stormwater agreement look like in this case. Waldock then deferred to Mark Duchene, City Engineer. Mr. Duchene explained the form agreement and how it works. The city is required to have these under the State of MN.

Vice Chair Campbell then explained the process to the room and then opened the matter up for public hearing at 6:12 p.m. No one came forward and then matter was then closed at 6:12 p.m. and brought back for further discussion. Chair Ackman then went over the conditions for approval in highlighting what Commissioner White stated about the enclosure.

Bruce Bauer, 933 Hulett Avenue, Faribault, came forward and stated that he could look into that.

A motion was made by Commissioner Albers stating that he would like to see some type of an open and close fence for the enclosure. This is a hardship variance and seconded by Commissioner White to recommend approval in support of the applications presented in this case subject to the recommended conditions of approval and based the findings listed in the draft resolution granting the proposed variances for Bauer Restoration at 933 Hulett Avenue.

Motion passed on a 6/0 vote.

Commissioner White spoke to Mr. Bauer stating that the building really added to the building. Waldock stated that he will add the extra condition.

Vice Chair Campbell then turned the gavel over to Chair Ackman. Chair Ackman went over that there will be five separate motions and it's a big complicated project. He stated that what makes the most sense and then turned the matter over to Mr. Wanberg.

B. Overview of Public Hearings related a Proposed Rice County Public Safety Center

Wanberg explained that Mark DuChene is the City Engineer and is here. Also, Matthew Verdick with Rice County was present. Rice County acquired the former Faribault Foods spray fields east of State Highway 3 and 30th Street NW with the intention of developing a new Rice County Public Safety Center. Over the next several months, the Planning Commission will make recommendations on the Applicant's requests related to the proposed development. At this time, the Planning Commission should take action on the following requests relating to the zoning provisions for the Wild and Scenic River Overlay District; Comprehensive Plan amendment related to future land use east of

State Highway 3 and 30th Street NW; the rezoning of the property east of State Highway 3 and 30th Street NW; the vacation of the former State Highway 218 easement east of State Highway 3 and 30th Street NW and a preliminary and final plat of CANNON RIVER VIEW east of State Highway 3 and 30th Street NW which staff recommend that we continue this action into the future.

Wanberg showed the layout but that will not be discussed at this meeting. A future round-about will be there on Hwy 3 and 30th St NW. The extension of Eastview Drive is what the road will be and will stop short of the river but the intent this would be the primary east west connection on this side of town. Rice County is proposing to put the RC Safety Center and will be reserving some land to the north for residential housing. Along the River will be open space. This will involve the Law Enforcement Center and then the Rice County Jail. Some concept sketches were shown to put in perspective. None can happen without the provision set on the Wild and Scenic. In 1980 the State designated in the MN Wild and Scenic River Program; part of that was in the city of Faribault. Rice County adopted the Wild and Scenic River Provisions but the City did not. When the spray fields were adopted into the city the city did not adopt the wild and scenic provisions. Now with the proposed developments, these Wild and Scenic River need to be met. Everything east of the former railroad; where it used to be everything east of it is 100% in the flood plan and a fair amount in the flood way so it's really limited on use other than open space. The permitted uses are limited. Wanberg identified draft ordinance permitted uses which are conservation and open space, resource management, essential services, certain types of signs and agriculture excluding feedlots. If someone wanted to use that for hay, they can do that excluding the feedlots which is how it's been used for quite some time. Permitted uses could be public roads, bridges which would require the CUP and would go through the DNR for approval. The county is considering ground mounted solar; those panels would be constructed in that Wild and Scenic and would require a CUP. Other conditional uses were river access and landing, canoe and kayak rental i.e. temporary dock, public structures, tower, transmission lines, etc. There were also prohibited uses for this area such as governmental campgrounds, residential, forestry, onsite sewage disposal and mining. We do not anticipate annexing land in this area in the future. Staff recommend the City Council approve the draft ordinance.

Chair Ackman went over how to proceed which will be present each and then act on each. Five separate public hearings. Chair Ackman then brought this matter up to the board for discussion. Albers asked if we had another waiting period for the DNR. Wanberg stated that if the PC recommend approval the CC has 1st and 2nd reading then the city documents that the ordinance was been passed, published and then we send it to the DNR and then they certify it. Should be a smooth process once the CC approves it. Jackson stated that with the flood in 2010; what is the graduation from that floodplain. Wanberg stated that any developments in that areas will have to meet that floodplain ordinance but the area east of the former railroad will be in the water but the area west should not be flooding. Temple asked if creating this ordinance, it's not in line with the county but more in line with the State. Wanberg stated that it is for being in line with the State requirements. Temple asked if this would add special privileges.

Wanberg said no, that we are actually be a little stricter but that would require conditional uses in that area. Jackson then asked if we know it could flood; why would we put solar in it? Wanberg stated that if they wanted to put that in, they would need to meet with the floodplain management.

Temple asked what has been voted on with the Safety Center before this. He asked for an explanation on what will be discussed tonight. In response, Wanberg emphasis that we do not have on the public hearing the actual Public Safety Center at this point.

Chair Ackman explained that we are going to go out to the public to discuss the Wild and Scenic and there will be five. Chair Ackman then opened up the public hearing at 6:42 to discuss the Wild and Scenic Overlay.

Greg Becker came forward. Mr. Becker is at 1804 Ames Trail. He stated that his property was flooded and was level with the railroad bed. Can it be guaranteed that it won't breach the river bed?

Orland Anderka then came forward from 18220 Alvey Way to discuss the buffer zone and the line beyond. The buffer zone was explained to him. He then asked about further annexation which none is anticipated at this time. He then mentioned that a bridge would require a 25ft fill. Chair Ackman did state that this is not what is to be discussed. Chair Ackman then closed the public hearing at 6:47 p.m.

Chair Ackman then brought the matter back up to the board for further discussion and Commissioner White then brought a motion seconded by Temple to recommend that the City Council approve Ordinance 2022-x Approve Zoning Provisions for the Wild and Scenic River Overlay District.

The next issue discussed with for the Proposed Comprehensive Plan Amendment related to Future Land Use and recommends approval of Resolution 2022-x Approve a Comprehensive Plan Amendment related to Future Land Use East of State Highway 3 and 30th Street NW.

The amendment would relate to the west side of the railroad tracks and be a Commercial/Residential Mixed use. Then the Wild and Scenic area is in the open space. The proposal would be a public institutional, planned neighborhood residential and open space. They are offering a space just north of the site for the planned residential.

Chair Ackman then brought he matter back for discussion. Commissioner Jackson asked if we could change the verbiage for the former railroad area and was concerned about the flooding issues. Wanberg is showing what is guiding the entire property. Jackson said the resolution reflects east of the railroad and Jackson would like to have that left out. Wanberg said that it is guided open space and if solar panels were presented, they would have to come back through this process. Jackson stated he is not comfortable with that.

Chair Ackman then opened the matter up for public hearing on the Comprehensive Plan Amendment at 6:56.

Amber Lusk of 2915 2nd Avenue NW which is the property directly adjacent to the Lot 1 Block 3. Her concern is regarding this plan is that her property would be one two side outlined by industry and she would prefer not to have that as a concerned homeowner. She would like to reconsider.

Chair Ackman closed the public hearing at 6:57 p.m. and brought up the matter for further discussion. Wanberg responded that it's guided and zoned for other development. Current zoning on that is residential and light industrial. 2040 Plan reflects residential/commercial. What we are working on tonight would say commercial or industrial.

Temple stated that the residential portion of this; with the comp plan we are talking about the vision with the city. Wondering if we could hear more of the intention for that zone. Wanberg suggested that DuChene would have more information regarding the memorandum of understanding. DuChene future plan north of the institution has recognized the housing shortage. They are struggling to find workforce housing. That has been set aside for something that fits the neighborhood. Being proposed now and later slated to be an outlot.

White brought a motion seconded by Albers to recommend that the City Council approve Resolution 2022-xxx Approve a Comprehensive Plan Amendment related to Future Land Use East of State Highway 3 and 30th Street NW

Commissioner Jackson was concerned about the solar fields leaking and going into the river. White stated that the with the motion that was passed before would make it bring it back to another hearing. Wanberg confirmed that it the motion was strictly for the comp plan not the zoning. It was confirmed.

A vote was taken on a 5/1 which Jackson voting nay.

The next subject to be discussed on an Ordinance 2022-xxx Rezone Property East of State Highway 3 and 30th Street NW

Wanberg stated that the zoning has to match the comp plan so what's being proposed is very similar to what we just looked at. The zoning would be R3, Industrial I-1 light Industrial and open space.

Campbell wanted a clarification; south of Eastview drive on the map. He asked about some parcel being returned to the city on that land. DuChene talked about the land swap. There will be two developable parcels south of that Eastview drive all the way to the river for redevelopment. Jackson asked about high-density housing there? Wanberg stated that it's not been discussed as a high-density site. If they County would

like that there, they would have to come back to the Council for high-density. Chair Ackman then went over the various zones that will be voted on. Chair Ackman opened up the public hearing at 7:14 p.m. Mr. Becker came forward again. His fence would be on the border for the planned residential; he asked about the outlet or proposed road since it's hard to get on Highway 3 at that time. He asked about putting razor wire on his fence so people don't go onto his property.

Pat O'C 17875 Ames Trail, said he didn't get a letter and found out about it in the paper. He'd appreciate it. Far NE corner on the last on the west side of the railroad track. He lives on the other side of the trestle. The point being, if anybody would like that tiny spot set up as residential area. He would recommend that the entire area be commercial or light industrial. He mentioned kids jumping off the trestle. He states it happens 4 to 5 times a summer.

No one else came forward so Chair Ackman closed the public hearing at 7:17 p.m.

Commissioner Temple asked if Mr. Verdick would come forward to discuss the residential since he was present.

Mr. Verdick stated that they don't have anything planned yet.

Jackson asked if Ames would connect to 1st Avenue. DuChene stated that the county engineer, has had discussion about closing off Ames and connecting to 1st Ave and exiting to the roundabout.

A motion was made by White, seconded by Campbell to recommend that the City Council approve Ordinance 2022-x Rezone Property East of State Highway 3 and 30th Street NW as present. Vote was unanimous.

4. Ordinance 2022-x Approve the Vacation of the Former Highway 218 Easement East of State Highway 3 and 30th Street NW

Chair Ackman had some discussion about the 218-vacation easement. Commissioners had no questions for staff. Went back up for discussion. Chair opened up the public hearing, there was no one. Brought back for further discussion and there was none. A motion was made by Albers, seconded by Jackson to recommend that the City Council approve Ordinance 2022-x Approve the Vacation of the Former Highway 218 easement. Motion passed on a 6/0 vote.

When Chair Ackman retires, he would like something about how many times he's voted on Hwy 218 on his plaque.

5. Resolution 2022-xxx Approve the Preliminary and Final Plat of CANNON RIVER VIEW

Chair Ackman started out by reminding the board that the request is to continue this and

not vote on it at this time. He also explained the process.

Wanberg stated that there was some additional title work that needs to take place. The attorneys are working on this. There are some additional planning steps for the areas involved which for each action it would need to be brought back before the commission again.

Chair Ackman opened the public hearing at 7:27 and Amber Lusk came forward with concerns about the upcoming transitions and changes. Her property neighbors with this and indicated health and safety concerns for her family, increased traffic, noise, and home value (she spoke with a realtor) decreasing by about \$50,000. Public hearing closed at 7:29 p.m. Chair Ackman told her that the Preliminary and Final Plat and the Conditional Use and encouraged her to attend the City Council meeting. He brought it back. DuChene addressed Ms. Lusk's questions regarding light pollution – have to meet ordinances and don't cast on personal property. Headlights should not be different. Noise pollution – the City did a federal noise study and it indicated and the project noise does not meet any need for noise walls but they are anticipating putting in some evergreen plantings and landscaping to provide a buffer. He would not respond to property values which can fluctuate.

A motion was made by White seconded by Albers to continue the public hearing related to the request for preliminary and final plat approval of CANNON RIVER VIEW. Motion to continue passed on a 6/0 vote.

5. Adjournment

Chair Ackman requested a motion to adjourn. Commissioner Temple made a motion to adjourn seconded by Commissioner Jackson. Meeting was adjourned at 7:36 p.m. Motion carried unanimously.

Dated April 18, 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: May 2, 2022
SUBJECT: Approve Preliminary Plat and Final Plat of CANNON RIVER VIEW (continued from April 18, 2022)

Background:

Rice County, and Steven E. Patee and Mary Ann D. Patee, and Paul W. Friesen and Wanda K. Friesen (collectively, the "Applicant") have requested preliminary plat and final plat approvals of CANNON RIVER VIEW east of State Highway 3 and 30th Street NW. The proposed Rice County Public Safety Center is the impetus for the proposed plat. However, the proposed CANNON RIVER VIEW plat also includes industrial, residential, and open space parcels.

The proposed CANNON RIVER VIEW plat is consistent with the City's comprehensive plan and ordinances per Resolution 2022-086 and Ordinance 2022-9, respectively. The proposed plat is also consistent with the City's subdivision regulations. The public improvements associated with the proposed plat are outlined in an approved memorandum of understanding between Rice County and the City of Faribault. The platting and public improvement details will be further outlined in the forthcoming Development Agreement. Refer to the City Engineer's report (see Exhibit D in the attached resolution) for additional information. The City Planner will provide additional background and detail at the public hearing.

Recommendation:

Recommend that the City Council approve Resolution 2022-xxx Approve Preliminary Plat and Final Plat of CANNON RIVER VIEW.

Attachments:

1. 2022-xxx Approve Preliminary Plat and Final Plat of CANNON RIVER VIEW

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-xxx

APPROVE PRELIMINARY PLAT AND FINAL PLAT OF CANNON RIVER VIEW

WHEREAS, the County of Rice (the "County"), a public corporation, and Steven E. Patee and Mary Ann D. Patee, husband and wife, and Paul W. Friesen and Wanda K. Friesen, husband and wife (collectively the "Applicant"), submitted applications for preliminary plat approval and final plat approval of CANNON RIVER VIEW legally described in Exhibit A and depicted in Exhibit B and Exhibit C of this resolution; and

WHEREAS, City Staff completed a review of the Applicant's request for preliminary plat approval and final plat approval and made a report to the Faribault Planning Commission (see the City Engineer's memorandum in Exhibit D of this resolution); and

WHEREAS, the City of Faribault and the County of Rice entered into a memorandum of understanding regarding a preliminary understanding of the terms and conditions for the public improvements associated with the plat of CANNON RIVER VIEW (see Exhibit E); and

WHEREAS, the Planning Commission, on April 18, 2022, following proper notice, opened a public hearing regarding the Applicant's requests and continued the public hearing until May 2, 2022; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's requested preliminary plat based on the 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 proposed parcels created by the preliminary plat of CANNON RIVER VIEW are consistent with the parcel dimension requirements outlined in the City's Unified Development Ordinance for the zoning districts specified in Ordinance 2022-9.

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

Expanded Finding: The proposed preliminary plat of CANNON RIVER VIEW is consistent with the City's Journey to 2040 Comprehensive Plan as amended by Resolution 2022-086.

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

Expanded Finding: The preliminary plat of CANNON RIVER VIEW is well-conceived. The size and layout of the proposed parcels allow for logical development.

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 preliminary plat of CANNON RIVER VIEW provides significant road improvements that will improve the public safety in the area.

5. **All submission requirements have been satisfied.**

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

WHEREAS, the Planning Commission, following the May 2, 2022, public hearing, recommended that the Faribault City Council approve the requested final plat of CANNON RIVER VIEW based on the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

1. The final plat substantially conforms to the approved preliminary plat.

Expanded Finding: The Applicant prepared the final plat concurrently with the preliminary plat. The final plat conforms to the preliminary plat.

2. The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions.

Expanded Finding: The final plat conforms to all applicable requirements of the City's Unified Development Ordinance.

3. All submission requirements have been satisfied.

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

WHEREAS, at a public meeting on May 10, 2022, the City Council considered the Applicant's requests for preliminary plat and final plat approval and concurred with the recommendations and findings of the Planning Commission as stated in the above recitals and hereby makes identical findings.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault as follows:

Section 1. Approval of the preliminary plat and the final plat. The City Council hereby approves the preliminary plat and the final plat of CANNON RIVER VIEW legally described in Exhibit A and depicted in Exhibit B and Exhibit C of this resolution based on the written findings in this resolution and subject to the following conditions:

1. The City Council's approvals of the preliminary plat and final plat of CANNON RIVER VIEW are contingent on the City Attorney's plat opinion, review of title work, and any further requirements thereof.
2. The Applicant and the City must enter into a Developer's Platting Agreement to the satisfaction of the City Attorney and City Engineer before recording the CANNON RIVER VIEW plat with Rice County.

3. Per the memorandum of understanding outlined in Exhibit E of this resolution, the County agrees to deed certain land to the City, which the City intends use a portion of said lands for public parkland or open space use. Consequently, the City Council does not require separate parkland dedication or cash-in-lieu of parkland for the CANNON RIVER VIEW plat.
4. The Applicant shall provide all additional dedications and public improvements outlined in the memorandum of understanding in Exhibit E of this resolution.
5. The Applicant must address all plat-related comments described in the memo to David Wanberg, City Planner from Mark DuChene, City Engineer, dated April 18, 2022, in Exhibit D of this resolution.
6. The Applicant must record the final plat with the Rice County Recorder's Office within twelve (12) months following City Council approval, or the City Council will automatically, without further action, deem the plat null and void unless the City Council extends the deadline to record the final plat.
7. The Applicant must provide the City Engineer with a signed mylar copy of the final plat as soon as possible after all signatures have been obtained and after the final plat has been successfully recorded at Rice County.
8. The Applicant must provide the City Engineer with the final plat in a digital format suitable to the City Engineer as soon as possible after the Applicant has successfully recorded the final plat at Rice County.

Section 2. Findings and incorporation of recitals and exhibits. The recitals and exhibits incorporated in this resolution constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 3. Authorization to take additional steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 4. Authorization to execute documents. The City Council hereby authorizes and directs the Mayor and the City Administrator to take

all necessary actions and execute all appropriate documents to effectuate the approvals contemplated by this resolution.

Section 5. Effective date. 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 A: Legal Description

PART OF THE S1/2 OF THE N1/2 OF THE NE1/4 OF SECTION 19, TOWNSHIP 110 NORTH, RANGE 20 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, LYING EAST OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY'S RIGHT OF WAY—, BEING MORE EXACTLY DESCRIBED AS: BEGINNING AT A POINT IN THE EAST LINE OF SAID NE1/4 (FOR PURPOSES OF THIS DESCRIPTION BEARING OF SAID EAST LINE IS ASSUMED SOUTH 0°15'27" WEST), A DISTANCE OF 654.32 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID NE1/4; SAID POINT BEING THE NORTHEAST CORNER OF SAID S1/2 OF N1/2 OF NE1/4; THENCE CONTINUE SOUTH 0°15'27" WEST, ALONG SAID EAST LINE, 654.32 FEET TO THE SOUTHEAST CORNER OF SAID S1/2 OF N1/2 OF NE1/4; THENCE NORTH 89°30'45" WEST, ALONG THE SOUTH LINE OF SAID S1/2 OF N1/2 OF NE1/4, 947.77 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE NORTH 25°44'12" EAST, ALONG SAID SOUTHEAST RIGHT OF WAY LINE, 723.78 FEET TO A POINT IN THE NORTH LINE OF SAID S1/2 OF N1/2 OF NE1/4; THENCE SOUTH 89°29'01" EAST, ALONG SAID NORTH LINE, 636.42 FEET TO SAID POINT OF BEGINNING; CONTAINING 11.901 ACRES, MORE OR LESS.

AND

That part of the following described property which lies north of the south line of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, Rice County, Minnesota;

PART OF THE E1/2 OF SECTION 19, TOWNSHIP 110 NORTH, RANGE 20 WEST OF THE FIFTH PRINCIPAL MERIDIAN, RICE COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF THE NE1/4 OF SAID SECTION 19 (FOR PURPOSES OF THIS DESCRIPTION BEARING OF SAID EAST LINE IS ASSUMED SOUTH 0°15'27" WEST), A DISTANCE OF 654.32 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID NE1/4, SAID POINT BEING THE NORTHEAST CORNER OF THE S1/2 OF THE N1/2 OF SAID NE1/4; THENCE CONTINUE SOUTH 0°15'27" WEST, ALONG SAID EAST LINE, 1409.32 FEET TO A POINT IN THE CENTER OF CANNON RIVER; THENCE SOUTHWESTERLY, ALONG SAID CENTER OF CANNON RIVER ON THE FOLLOWING FIVE COURSES: SOUTH 50°15'27" WEST, 440.00 FEET; SOUTH 26°57'20" WEST, 579.11 FEET; SOUTH 42°55'36" WEST, 300.00 FEET; SOUTH 74°10'36" WEST, 450.00 FEET; SOUTH 57°10'36" WEST, 550.00 FEET; NORTH 89°34'24" WEST, PARALLEL WITH THE SOUTH LINE OF SAID NE1/4, 304.00 FEET TO A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTH WESTERN TRANSPORTATION COMPANY; THENCE NORTH 25°44'12" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 3164.72 FEET TO A POINT IN THE NORTH LINE OF SAID S1/2 OF N1/2 OF NE1/4; THENCE SOUTH 89°29'01" EAST, 636.42 FEET TO SAID POINT OF BEGINNING; SUBJECT TO THE PROPRIETARY AND SOVEREIGN RIGHTS OF THE STATE OF MINNESOTA IN ALL THAT PORTION OF THE LAND LYING BELOW THE NATURAL ORDINARY HIGH WATER—MARK OF THE CANNON RIVER; NOT, HOWEVER, TO DEPRIVE THE FEE OWNERS OF THE USUAL RIPARIAN RIGHTS THAT ATTACH TO THE LAND RIPARIAN TO A NAVIGABLE PUBLIC BODY OF WATER INCIDENT TO THE OWNERSHIP THEREOF; CONTAINING 51.323 ACRES, MORE OR LESS, INCLUDING SAID CANNON RIVER, AND CONTAINING 48.086 ACRES, MORE OR LESS, EXCLUDING SAID CANNON RIVER.

AND

Part of the South One—half of the North One—half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, lying South and East of the center line of a Trunk Highway easement recorded in Book 225 of Deeds, pages 48 to 62 of record in the office of the Rice County Recorder and lying westerly from the westerly right of way line of the Chicago Great Western Railroad; excepting therefrom the following described parcel:

Commencing at a point in the center of Trunk Highway No. 218, said point being 700 feet East and 250.24 feet North of the Southwest corner of the North One—half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West; thence running East, a distance of 955 feet to the westerly right-of-way line of the Chicago, Great Western Railroad; thence northeasterly, along said right-of-way line, a distance of 728 feet; thence West 935.3 feet to the center of the Road or Highway known as "Old Jefferson Highway", the "Faribault—Dundas Road" and as the "Dundas—Faribault River Road"; thence southwesterly, along said center of said Road or Highway, a distance of 257 feet to the center line of Trunk Highway No. 218; thence southwesterly, along the said center line of said Trunk Highway No. 218, a distance of 506.5 feet to the place of beginning;

being more exactly described as: Part of the North One—half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at a point in the South line of said North One—half of Northeast Quarter (for purposes of this description bearings are assumed and based on said South line being South 89°30'45" East), a distance of 644.18 feet easterly from the Southwest corner of said North One—half of Northeast Quarter, said point being the center line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota by final certificate filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence North 16°46'36" East, along said Highway easement center line, 260.70 feet to a point in a line 250.24 feet northerly from and parallel with said South line of North One—half of Northeast Quarter; thence South 89°30'45" East, along said parallel line, 957.39 feet; thence South 25°44'12" West, 276.67 feet to a point in said South line; thence North 89°30'45" West, along said South line, 921.51 feet to said point of beginning; subject to said State Trunk Highway Easement over the westerly side of said herein described parcel.

AND

Part of the North One—half of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows: Beginning at the Southwest corner of said North One half of Northeast Quarter; thence South 89°30'45" East, along the South line of said North One—half of Northeast Quarter (for purposes of this description bearings are assumed and based on said South line being South 89°30'45" East), a distance of 644.18 feet to a point in the center line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota by final certificate filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence North 16°46'36" East, along said Highway easement center line, 260.70 feet to a point in a line 250.24 feet northerly from and parallel with said South line of North One—half of Northeast Quarter and the true point of beginning of the parcel to be herein described; thence South 89°30'45" East along said parallel line, 957.39 feet to a point in the northwesterly right of way line of the Chicago Great Western Railway Company (now abandoned); thence North 25°44'12" East, along said northwesterly right of way line, 447.17 feet; thence North 89°29'01" West, along said right of way line, 55.27 feet; thence North 25°44'12" East, along said right of way line, 281.61 feet; thence North 89°29'01" West, 878.52 feet to a point in the center line of Ames Trail (formerly "Old Jefferson Highway"); thence South 48°00'31" West, along said center line of Ames Trail, 262.35 feet to a point in aforesaid center line of State Trunk Highway Easement; thence South 16°46'36" West, along said center line of Trunk Highway Easement, 502.62 feet to said true point of beginning; subject to said State Trunk Highway Easement and Ames Trail over the westerly side of said herein described parcel;

EXCEPT:

That part of the Northwest Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, shown as Parcel 301A on Minnesota Department of Transportation Right of Way Plat Numbered 66—37 as the same is on file and of record in the office of the County Recorder in and for Rice County, Minnesota; which is encumbered in its entirety by an existing highway easement; together with other rights as set forth below, forming and being part of said Parcel 301A:

Access:

All right of access as shown on said plat by the access control symbol.

Temporary Easement:

A temporary easement for highway purposes as shown on said plat as to said Parcel 301A by the temporary easement symbol, said easement shall cease on December 1, 2012, or on such earlier date upon which the Commissioner of Transportation determines by formal order that it is no longer needed for highway purposes.

together with all hereditaments and appurtenances belonging thereto. Subject to mineral rights and utility easements of record, if any.

AND

Part of the East One—half of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Faribault, Rice County, Minnesota, described as follows: Beginning at a point in the South line of the Northeast Quarter of said Section 19 (for purposes of this description bearings are assumed and based on said South line being South 89°34'24" East), a distance of 264.00 feet easterly from the Southwest corner of said Northeast Quarter; thence North 0°31'10" East, along a line 264.00 feet easterly from and parallel with the West line of the South One—half of said Northeast Quarter, 1089.00 feet; thence North 89°34'24" West, 264.00 feet to a point in said West line; thence North 0°31'10" East, along said West line 222.40 feet to the Northwest corner of said South One—half of Northeast Quarter; thence South 89°30'45" East, along the North line of said South One—half of Northeast Quarter, 1556.69 feet to a point in the northwesterly right of way line of the Chicago Great Western Railway Company (now abandoned); thence South 25°44'12" West, along said northwesterly right of way line of abandoned railway, 596.02 feet; thence North 89°35'38" West, 707.68 feet to a point in the southeasterly line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota, as stated in the final certificate, filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence southwesterly, along said highway easement line, on a curve, concave easterly (curve data: radius = 3729.72 feet; delta angle = 3°40'32"; chord bearing and distance = South 10°00'22" West, 239.23 feet), an arc distance of 239.27 feet; thence southwesterly, along an offset spiral curve of increasing radius (center line of spiral curve data: degree of curve = 1°07'30"; length of curve = 150.00 feet; spiral offset = 90.00 feet) chord bearing and distance = 7°24'58" West, 148.23 feet; thence South 7°02'36" West, 720.50 feet to a point in the South line of the North One—fourth of the North One—half of the Southeast Quarter of said Section 19; thence North 89°35'38" West, along the South line of said North One—fourth of the North One—half of Southeast Quarter, 32.15 feet; to a point in the center line of First Avenue N.W. as said road is built and traveled; thence North 6°39'37" East, along said center line of First Avenue N.W. as traveled, 164.02 feet; thence North 89°34'24" West, 177.34 feet to a point in a line 264.00 feet easterly from and parallel with the West line of the Southeast Quarter of said Section 19; thence North 0°30'28" East, along said parallel line, 165.00 feet to said point of beginning, subject to Minnesota Trunk Highway 3 over the Westerly side, 27th Street over the southerly side, First Avenue N.W. over the southeasterly side; and subject to an easement for Trunk Highway construction and maintenance through said above described parcel; EXCEPT parcel numbered 202 on the plat designated as Minnesota Department of Transportation Right of Way Plat Numbered 66—4 in the office of the County Recorder.

EXCEPT:

Part of the East One-half of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Faribault, Rice County, Minnesota, described as follows: Beginning at a point in the South line of the Northeast Quarter of said Section 19 (for purposes of this description bearings are assumed and based on said South line being South 89°34'24" East), a distance of 264.00 feet easterly from the Southwest corner of said Northeast Quarter; thence North 0°31'10" East, along a line 264.00 feet easterly from and parallel with the West line of the South One-half of said Northeast Quarter, 770.57 feet; thence South 89°35'38" East, 331.07 feet to a point in the southeasterly line of an easement for Trunk Highway construction and maintenance acquired by the State of Minnesota, as stated in the final certificate, filed and of record in the County Recorder's Office in Book 225 of Deeds, pages 48 to 62; thence southwesterly, along said highway easement line, on a curve, concave easterly (curve data: radius = 3729.72 feet; delta angle = 3°40'32"; chord bearing and distance = South 10°00'22" West, 239.23 feet), an arc distance of 239.27 feet; thence southwesterly, along a offset spiral curve of increasing radius (center line of spiral curve data: degree of curve = 1°07'30"; length of curve = 150.00 feet; spiral offset = 90.00 feet), chord bearing and distance = South 7°24'58" West, 148.23 feet; thence South 7°02'36" West, 720.50 feet to a point in the South line of the North One-fourth of the North One-half of the Southeast Quarter of said Section 19; thence North 89°35'38" West, along the South line of said North One-fourth of North One-half of Southeast Quarter, 32.15 feet; to a point in the center line of First Avenue N.W. as said road is built and traveled; thence North 6°39'37" East, along said center line of First Avenue N.W. as traveled, 164.02 feet; thence North 89°34'24" West, 177.34 feet to a point in a line 264.00 feet easterly from and parallel with the West line of the Southeast Quarter of said Section 19; thence North 0°30'28" East, along said parallel line, 165.00 feet to said point of beginning, subject to an easement for Trunk Highway construction and maintenance and for First Avenue N.W. over the southeasterly side of said herein described parcel.

AND

That part of the North One-half of the Northeast Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, being a strip of land 200 feet in width, 100 feet on both sides of the center line of the now removed main track of the Chicago and North Western Transportation Company, extending over and across said North One-half of the Northeast Quarter of the Northeast Quarter, described as follows: Beginning at a point in the South line of said North One-half of the Northeast Quarter of the Northeast Quarter (for purposes of this description bearing of said South line is assumed North 89°29'01" West), a distance of 581.15 feet, Westerly from the Southeast corner of said North One-half of the Northeast Quarter of the Northeast Quarter; thence continue along said South line, North 89°29'01" West, 221.07 feet; thence North 25°44'12" East, 723.53 feet to a point in the North line of said Northeast Quarter; thence South 89°27'17" East, along said North line 221.02 feet; thence South 25°44'12" West, 723.40 feet to said point of beginning.

AND

That part of the South One-half of the Northeast Quarter of the Northeast Quarter and the South One-half of the Northeast Quarter, being a strip of land 100 feet in width, 50 feet on both sides of the center line of the now removed main track of said Transportation Company, all being in Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, described as follows:

Beginning at a point in the North line of said South One-half of the Northeast Quarter of the Northeast Quarter (for purposes of this description bearing of said North line is assumed North 89°29'01" West), a distance of 636.42 feet Westerly from the Northeast corner of said South One-half of the Northeast Quarter of the Northeast Quarter; thence along said North line, North 89°29'01" West, 110.54 feet; thence South 25°44'12" West, 3,164.91 feet; thence South 89°34'24" East, 110.62 feet; thence North 25°44'12" East, 3,164.71 feet to said point of beginning.

Excepting and Reserving, however, unto the Grantor, its lessees, licensees, successors and assigns, the right to continue to protect, maintain, operate and use any and all existing conduits, sewers, water mains, gas lines, electric power lines, communication lines, wires and other utilities, and easements of any kind whatsoever on said premises, including the repair, reconstruction and replacement thereof.

By the acceptance of this conveyance, Grantee, for itself, its successors and assigns, agrees to take all steps necessary, at no expense Grantor, to comply with any and all governmental requirements relating to land platting and use.

AND

All that part of the South One-Half (S1/2) of the North One-Half (N1/2) of the Northeast Quarter (NE1/4) of Section 19, Township 110 North, Range 20 West of the Fifth Principal Meridian, Rice County, Minnesota, lying southeasterly from the center line of Minnesota Trunk Highway No. 3; and westerly of the proposed highway, as set forth in that certain Final Certificate, recorded in Book 225 of Deeds, on pages 48-62, in the office of the County Recorder, Rice County, Minnesota. EXCEPTING THEREFROM that part of the above described property, shown as Parcel 201 on Minnesota Department of Transportation Right of Way Plat Numbered 66-4 as the same is on file and of record in the Office of the County Recorder, Rice County, Minnesota; and subject to rights of access if any of record.

ALSO EXCEPTING THEREFROM That part of the Northwest Quarter of the Northeast Quarter of Section 19, Township 110 North, Range 20 West, shown as Parcel 301 on Minnesota Department of Transportation Right of Way Plat Numbered 66-37 as the same is on file and of record in the Office of the County Recorder in and for Rice County, Minnesota.

CANNON RIVER VIEW PRELIMINARY PLAT
FARIBAULT, MN

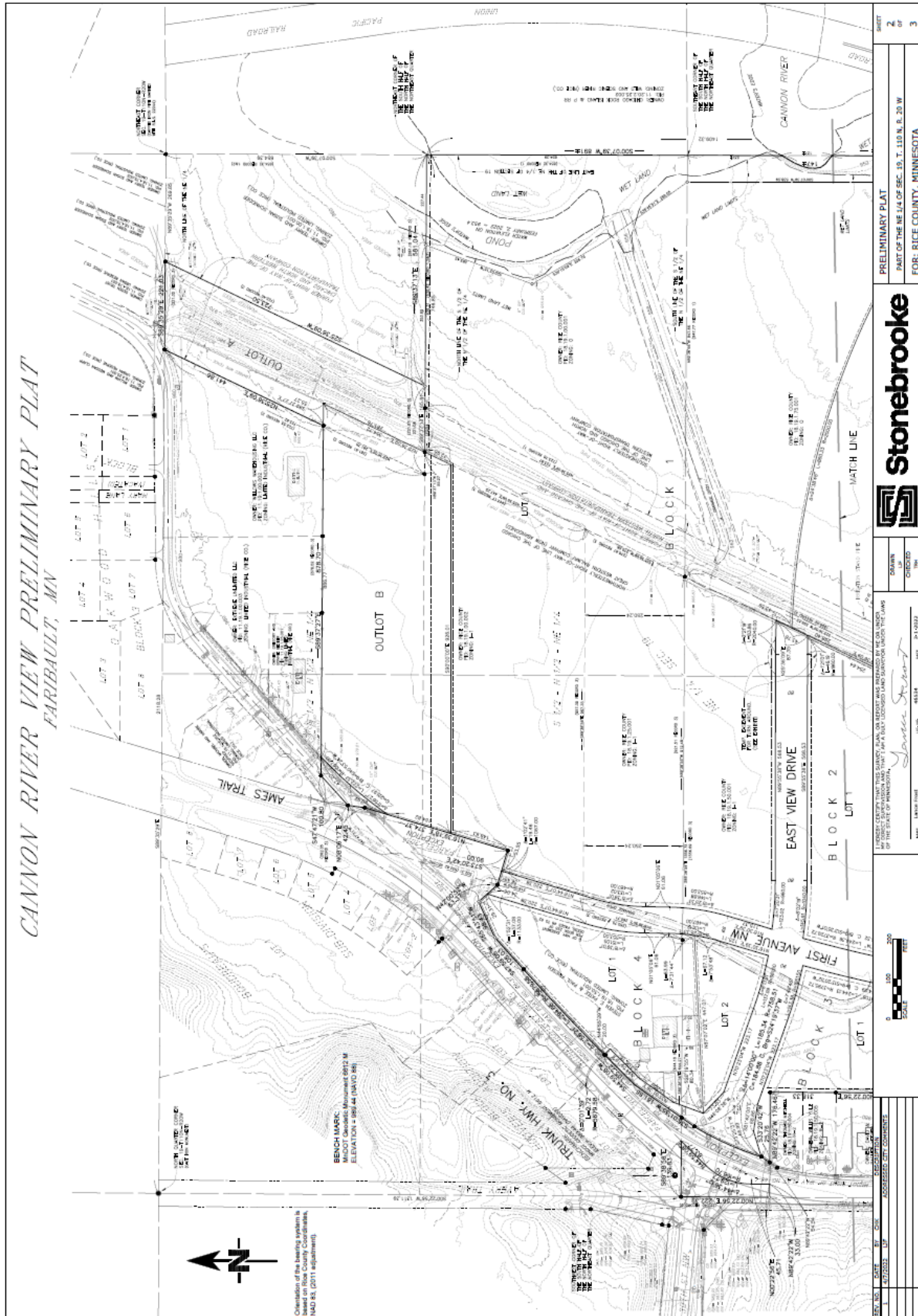
Right of way (see Easements § 37) and the same is in the name of the County Executive is held by State County, Minnesota.

Orientation of the bearing system is based on Rice

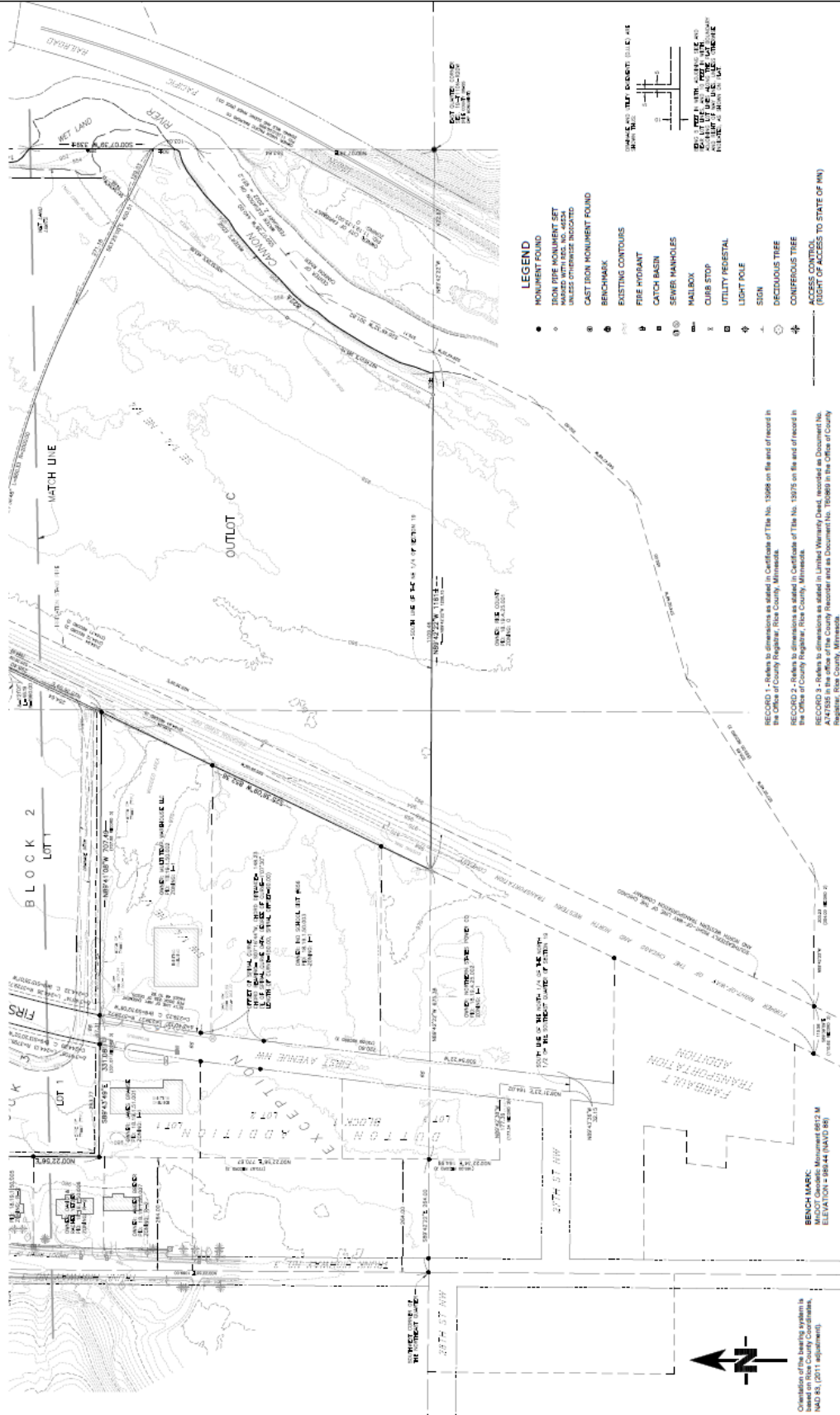
Registrar, Rice County, Minnesota.



PRELIMINARY PLAT	SHEET
PART OF THE NE 1/4 OF SEC. 19, T. 110 N., R. 20 W.	1 A OF
FOR RICE COUNTY, MINNESOTA	3



CANNON RIVER PRELIMINARY PLAT FARIBAULT, MN



RECORD 1 - Refer to dimensions as indicated in Certificate of Title No. 15968 on file and of record in the Office of County Registrar, Rice County, Minnesota. RECORD 2 - Refer to dimensions as indicated in Certificate of Title No. 15975 on file and of record in the Office of County Registrar, Rice County, Minnesota. RECORD 3 - Refer to dimensions as indicated in United Mortgage Deed, recorded as Document No. AN4785 in the Office of the County Recorder and as Document No. 150865 in the Office of County Registrar, Rice County, Minnesota.		Stonebrooke DESIGNER: <i>James Stewart</i> CHECKED: <i>James Stewart</i> DATE: 10/1/2011	PRELIMINARY PLAT PART OF THE NE 1/4 OF SEC. 15, T. 110 N., R. 20 W. FOR: RICE COUNTY, MINNESOTA
DATE: 10/1/2011 BY: <i>James Stewart</i> FOR: <i>James Stewart</i>	DESCRIPTION: 1. 40'x120' LOT 2. 40'x120' LOT	REVISIONS: 1. 10/1/2011 2. 10/1/2011	SHEET 3 OF 3

Exhibit C: CANNON RIVER VIEW Final Plat

OFFICIAL PLAT COPY

CANNON RIVER VIEW

[illegible][illegible][illegible]

over the past 10 years. "Under the 10-year, 10-year, 10-year rule, the first 10 years of the life of the asset are depreciated at a 10% rate, the next 10 years at a 20% rate, and the final 10 years at a 30% rate," says the author. "This rule is designed to encourage the use of long-life assets, such as buildings, by providing a higher depreciation rate for the first 10 years of the asset's life." The author also notes that the 10-year, 10-year, 10-year rule is a simplification of the more complex 10-year, 10-year, 10-year rule, which allows for a higher depreciation rate for the first 10 years of the asset's life, a lower rate for the next 10 years, and a higher rate for the final 10 years.

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[illegible][illegible][illegible][illegible][illegible][illegible]

to stress street, and County of Butte, a public corporation, has caused these presents to be signed by its proper officers

at _____ day of _____ 20____

Am. Pub. Serv. Chaperson, Rice County Board of Commissioners
STATE OF MINNESOTA

The instrument was acknowledged before me on this ____ day of _____, 20____, by Jan Pustant,
 Treasurer, Rice County Board of Commissioners.

Notary Public, _____ County, WA.
My commission expires _____

A series of $\delta\phi^2$, and $\delta\sigma^2$ **E** μ_{eff} and μ_{eff} have been calculated for each band.

The — ΔE or — $\Delta \mu_{\text{eff}}$ — $\Delta \mu_{\text{eff}}$

Street £ Price
 State of MINNESOTA
 County of
 This instrument was acknowledged before me on this day of , 20 , by Sharon £ Parnis and
Walter M. D. Parnis, husband and wife.

Name County, Mo.
By

[illegible]

NaOH, 50%; Cu, 90%; W, 90%;

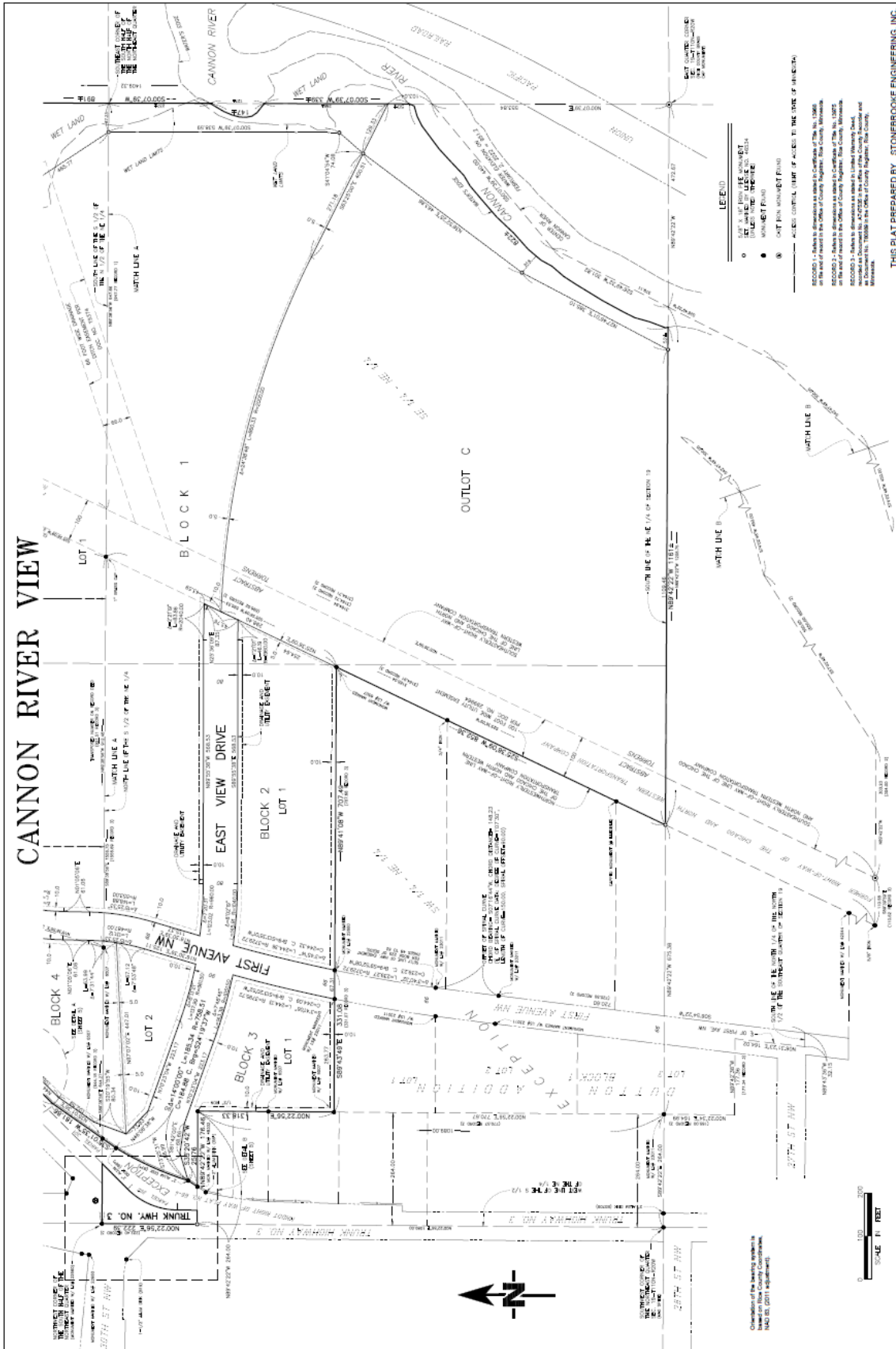
RECORD 1 - Subject to dimensions as stated in Certificate of Title No. 13450 on file and of record in the Office of County Register, Rice County, Minnesota.

RECORD 2 - Subject to dimensions as stated in Certificate of Title No. 13477 on file and of record in the Office of County Register, Rice County, Minnesota.

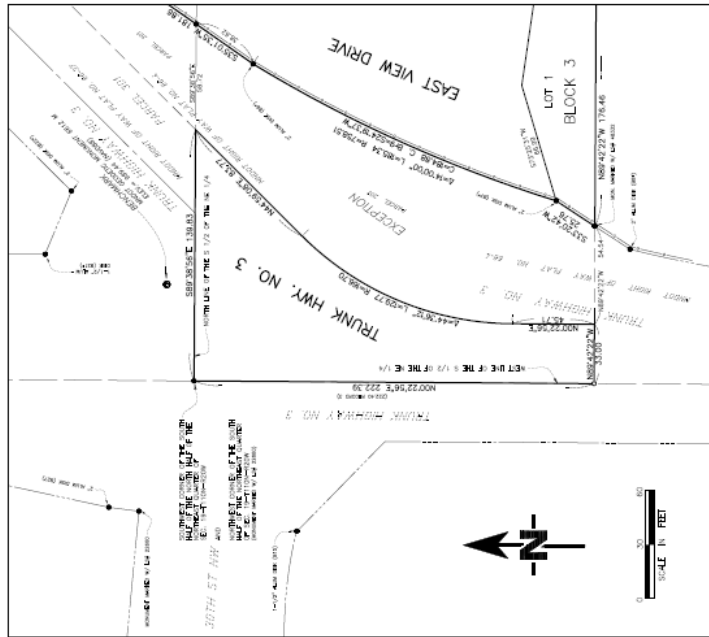
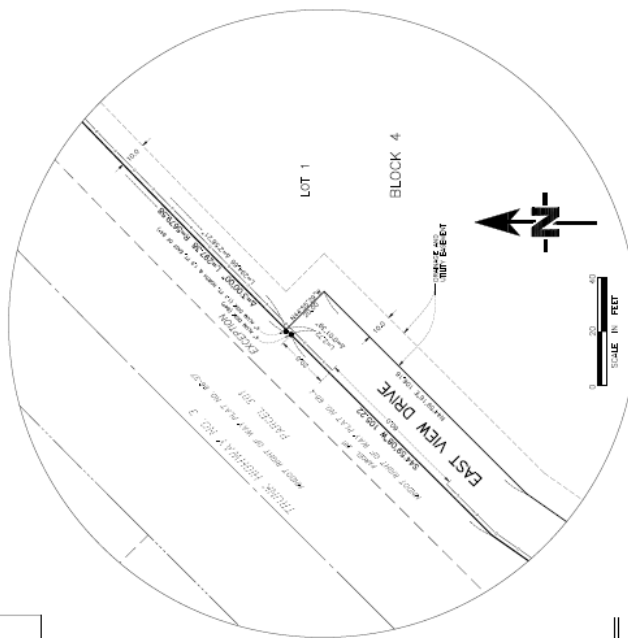
RECORD 3 - Subject to dimensions as stated in United Mortuary Deed, recorded as Document No. A-27532 in the Office of the County Recorder and as Document No. 170058 in the Office of County Register, Rice County, Minnesota.

THIS PLAT PREPARED BY **STONEBROOKE ENGINEERING, INC.**

OFFICIAL PLAT COPY



THIS PLAT PREPARED BY STONEBROOK ENGINEERING, INC.
SHEET 4 OF 5 SHEETS



RECORD 1 - Refers to dimensions as stated in Certificate of Title No. 13969 on file and of record in the office of County Registrar, Rice County, Minnesota.

RECORD 2 - Refers to dimensions as stated in Certificate of Title No. 13976 on file and of record in the office of County Registrar, Rice County, Minnesota.

RECORD 3 - Refers to dimensions as stated in Limited Warranty Deed, recorded as Document No. A-747538 in the office of the County Recorder and as Document No. 105893 in the Office of County Registrar, Rice County, Minnesota.

Orientation of the bearing system is based on Rice County Coordinates, NAD 83, (2011 adjustment).

BENCH MARK:
 MdDOT Geodetic Monument 6612 M
 ELEVATION = 909.44 (NAVD 88)

THIS PLAT PREPARED BY STONEBROOKE ENGINEERING, INC.

Exhibit D: Memo to David Wanberg, City Planner, from Mark DuChene, City Engineer, dated April 18, 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: April 18, 2022

SUBJECT: Cannon River View Comprehensive Plan Amendment, Rezoning, Preliminary Plat, Final Plat, & Easement Vacation

BACKGROUND

Rice County along with Steven & Mary Ann Patee and Paul & Wanda Friesen the property owners and collectively the "Owners", have submitted a comprehensive plan amendment, rezoning, preliminary plat, final plat, and easement vacation applications for the lands commonly known as the former Faribault Foods spray fields and Borchert Motors properties to be platted as the Cannon River View subdivision. The sites are located in the NE ¼ of Section 19 Township 110, Range 20W whose parent parcels are a collective of six (6) metes and bounds parcels. The site is adjacent to Trunk Highway 3 to the west, the Cannon River to the east, industrial development to the south and rural residential/commercial uses to the north.

The parcel ownership and current zoning of the parcels is as follows:

PID	Ownership	Current Zoning	Torrens/Abstract
18.19.1.50.001	Rice County	I-1 Light Industrial	Abstract
18.19.1.25.001	Rice County	I-1 Light Industrial	Abstract
18.19.1.00.002	Rice County	I-1 Light Industrial	Abstract
18.19.1.00.001	Rice County	Open Space/Agriculture	Torrens
18.19.1.75.001	Rice County	Open Space/Agriculture	Torrens
11.19.1.25.004	Patee & Friesen	Limited Industrial (Rice Co.)	Abstract

The Patee & Friesen parcel is currently not within the City of Faribault corporate limits; however, a separate annexation request from the property owners has been submitted to the City and is being processed concurrently with the proposed Cannon River View plat.

Conditional Use Permit

A conditional use permit will be required for the proposed Rice County Public Safety Center development. The CUP will be processed at a later date once final plans for the RCPSC have been finalized.

The proposed development will be completed by:

Owners: Rice County, Steven & Joan Patee and Paul & Wanda Friesen
Developer: Rice County
Surveyor: Stonebrooke Engineering, Inc.
Engineer: Stonebrooke Engineering, Inc.

PLAT/COMPREHENSIVE PLAN AMENDMENT/REZONING

Developer has submitted a preliminary and final plat for Cannon River View. The preliminary and final plat contains five (5) lots and three (3) outlots. The City's Journey to 2040 Comprehensive Plan guided the parent parcels for City Park or Open Space and Commercial/Residential Mixed Use according to the adopted Staged Growth Plan. The Owners are requesting an amendment to the comprehensive plan to change the staged growth plan land use designations as indicated in the table below. Similarly, the Owners are requesting a change in zoning for some of the parcels.

The areas within the plat including their proposed use, comprehensive plan land use classification, and proposed zoning are as follows:

<u>Lot</u>	<u>Area</u>	<u>Proposed Use</u>
Lot 1, Block 1	1,770,692 sf (40.65 ac)	Rice County Public Safety Center
Lot 1, Block 2	169,178 sf (3.88 ac)	Commercial/Industrial Redevelopment
Lot 1, Block 3	89,310 sf (2.05 ac)	Commercial/Industrial Redevelopment
Lot 1, Block 4	150,814 sf (3.46 ac)	Existing Commercial/Industrial Development
Lot 2, Block 4	48,295 sf (1.11 ac)	Commercial/Industrial Redevelopment
Outlot A	130,624 sf (3.00 ac)	Park, Recreation, Open Space
Outlot B	301,443 sf (6.92 ac)	Future Residential Neighborhood
Outlot C	1,130,662 sf (25.96 ac)	City Park or Open Space
<u>Rights-of-Way</u>	<u>204,270 sf (4.69 ac)</u>	<u>N/A</u>
Total	3,995,288 sf (91.72 ac)	

<u>Lot</u>	<u>Comp Plan Land Use</u>	<u>Zoning</u>
Lot 1, Block 1	Institutional	P/I Public/Institutional
Lot 1, Block 2	Commercial/Industrial	I-1 Light Industrial
Lot 1, Block 3	Commercial/Industrial	I-1 Light Industrial
Lot 1, Block 4	Commercial/Industrial	I-1 Light Industrial
Lot 2, Block 4	Commercial/Industrial	I-1 Light Industrial
Outlot A	Other Park, Recreation, Open Space	O Open Space/Agriculture
Outlot B	Planned Residential Neighborhood	R-3 Medium Density Residential
Outlot C	City Park or Open Space	O Open Space/Agriculture

Lot 1 Block 1, Lot 2 Block 4 and Outlots A & B are to be retained by Rice County for the following purposes:

- Lot 1 Block 1 - Development of a new public safety center
- Lot 2 Block 4 – Redevelopment for commercial/industrial uses
- Outlot A – Preserved for open space
- Outlot B – Future medium density residential development

Lot 1 Block 4 is to be retained by its current owners for the continued use of the existing business or for redevelopment.

Lot 1 Block 2, Lot 1 Block 3 and Outlot C shall be deeded to the City of Faribault as part of the development agreement process as outlined in the Memorandum of Understanding (MOU) signed by the authorized agents of the Faribault City Council and Rice County Board of Commissioners on or about April 12, 2022 a copy of which is attached to this report. The intended use of the lots is as follows:

- Lot 1 Block 2 - Redevelopment for commercial/industrial uses
- Lot 1 Block 3 - Redevelopment for commercial/industrial uses
- Outlot C – Preserved for open space

Current title work has not been submitted with the final plat application and will be subject to the review of the City and City Attorney's office. A current tile commitment must be submitted meeting the requirements of the City Attorney and all easements and encumbrances of record shall be shown on the plat documents.

Plat shall be subject to review and approval by the MN Department of Transportation.

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.

EXISTING SITE CONDITIONS

The existing site contains approximately 91.72 acres of land that that is mostly undeveloped agricultural land that was previously used for spray irrigation by a food processing company. There is one parcel at 18295 Faribault Road (PID 11.19.1.25.004) that contains an existing auto repair commercial business. The site is relatively flat and generally drains from west to east towards the Cannon River. The plat area is divided by an abandoned railroad bed and the eastern portion of the plat area lies within the Cannon River flood zone A.

EASEMENTS

Existing Easements

There are multiple existing easements on the site, including:

- 66-foot easement for drainage purposes in favor of the City of Faribault per Docs T9374. No changes to this easement are required.

- 100-200-ft Easement for public utility purposes in favor of the City of Faribault as shown per Doc 99964. No changes to this easement are required.
- Highway Easement transferred from the State of Minnesota to the City of Faribault per Doc 432078. This highway easement shall be vacated.

Proposed Easements

The proposed plat shows perimeter drainage and utility easements as required by City code. In addition to these easements the plat shall be revised or separate easement documents shall be required to show the following easements:

- A public drainage and utility easement encompassing the area of the proposed regional stormwater basin near the south east side of Lot 1 Block 1
- A public trail easement over the existing abandoned railroad bed within Outlot A and Lot 1 Block 1.
- A temporary roadway easement shall be placed over the temporary cul-de-sac on East View Drive. Said easement shall have a radius of at least 60-feet.

STREET AND SITE LAYOUT

East View Drive

The proposed plat includes the construction of East View Drive. East View Drive is proposed to be a future major collector and is planned to be constructed as a 44-foot wide (face of curb to face of curb), undivided urban roadway with no-parking on both sides and a center two-way left turn lane and is generally within an 80-foot right-of-way. East View Drive from Trunk Highway 3 through the 1st Avenue NW intersection will be 100% constructed and funded directly by the City under separate contract. East View Drive will connect to TH 3 via a new roundabout to be constructed under a separate City contract. The portion of East View Drive from its intersection of 1st Avenue NW to its terminus will be constructed by the Developers as part of the proposed plat improvements. Per the City's long-range transportation plans, East View Drive is planned to extend to the east and eventually cross the Cannon River and UPRR and connect to 14th Street NE.

As part of the proposed plat East View Drive is proposed to terminate in a temporary cul-de-sac at the end which has a paved radius of forty-five (45) feet and a temporary roadway easement radius of sixty (60) feet. A 10-foot multi-purpose trail is to be constructed on the north side of East View Drive.

The Developer is responsible for 100% of the equivalent costs of a standard 36-ft wide street including prepared/corrected subgrade, class 5 100% crushed aggregate base, bituminous pavement, B618 concrete curb and gutter, storm sewer, 5-foot wide concrete sidewalk, and turf restoration within the right-of-way. The City will reimburse the Developer the difference from the actual construction costs and those listed above plus 11% of the costs for engineering related services.

The City of Faribault has officially mapped the future right-of-way for East View Drive per Ordinance 2020-5 recoded as Doc A731135 for the future extension of East View Drive across the Cannon River to 14th Street NE. No private improvements shall be allowed within the East View Drive Official Map area without the express written consent of the City and the

Developer agrees to dedicate future right-of-way for East View Drive on Lot 1 Block 1 Cannon River View plat at no cost to the City.

1st Avenue NW

1st Avenue NW is proposed to be a local street and extended from its current terminus south of the proposed East View Drive to Ames Trail. 1st Avenue NW is proposed to be constructed as a 36-foot wide, undivided urban roadway with no parking on both sides and no sidewalk. 1st Avenue NW is proposed to be within a 66-ft right-of-way. The Developer is responsible for 100% of the costs to construct 1st Avenue NW from East View Drive to Ames Trail. 1st Avenue NW from its current terminus through the proposed intersection with East View Drive will be 100% constructed and funded directly by the City under separate contract.

Ames Trail

Ames Trail is an existing Cannon City Township road that connects to TH 3 near the northwest corner of the proposed plat. As part of the plat review process with MnDOT it was determined that the connection of Ames Trail to TH 3 should be terminated and Ames Trail should be connected to the extension of 1st Avenue NW. The Developer is responsible for securing all necessary permits with MnDOT for the closure of the Ames Trail connection and 100% of the costs of connecting Ames Trail to 1st Avenue NW.

PARKS AND TRAILS

Per the MOU the Developer shall satisfy their parkland dedication requirements for the plat including outlots by deeding to the City Outlot C, Cannon River View as well as the parcel with PID 18.19.4.25.001 which is not a part of the Cannon River View Plat. A 10-foot multipurpose trail shall be extended along the north side of East View Drive and the Developer shall dedicate a public trail easement over the existing abandoned railroad bed within Outlot A and Lot 1 Block 1.

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development is located within the Northeast drainage district as identified in the City's 2004 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to existing drainage channels and to the east which ultimately discharge to the Cannon River to the east.

Proposed storm sewer improvements must be designed to accommodate the runoff from a 10-year storm, 24-hour SCS Type II precipitation event as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station. Drainage calculations for the proposed storm sewer system shall be submitted to the City Engineer for review and approval with the final construction plans. Storm sewer systems 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.

The proposed site improvements include the addition of new and/or reconstructed impervious surfaces that exceed 1 acre. A stormwater treatment system meeting the current requirements of the Minnesota Pollution Control Agency (MPCA) Construction Storm Water permit and the City's current Municipal Separate Storm Sewers permit will be incorporated into the final plans. The Developer and City have agreed to cooperate on the construction of a regional stormwater basin to serve the entire plat area. The stormwater treatment basin shall be placed within a public drainage and utility easement on Lot 1 Block 1 Cannon River View. The City shall be responsible for long term operations and maintenance of the basin. The Developer and City shall split the costs of the design and construction of the stormwater treatment basin based on contributing drainage areas or flows or another equitable distribution as agreed upon by both parties.

A City grading permit and a National Pollution Discharge Elimination System Construction Stormwater General Permit for construction activity is required by the Minnesota Pollution Control Agency (MPCA) for areas exceeding one acre being disturbed by grading. A copy of the Notice of Stormwater Permit Coverage must be submitted to the City upon receipt from the MPCA. A stormwater pollution prevention plan (SWPPP) must be submitted meeting the requirements of the City's municipal separate storm sewer system permit and associated ordinances and the erosion and sediment control requirement as set forth in the MPCA construction stormwater general permit. A full copy of the SWPPP must be submitted to the City Engineer with the final construction plans for review and approval for each parcel as it develops.

A final post construction as-built grading plan must be submitted meeting the requirements of Article VII, Section 28-230 of the City of Faribault Code of Ordinances for each parcel as it is developed.

UTILITIES

SANITARY SEWER

The development is proposed to be served by public sanitary sewer facilities. Eight-inch sanitary sewer mains shall be extended within East View Drive and twelve-inch sanitary sewer mains shall be extended within 1st Avenue NE to their respective termini or as directed by the City Engineer. The existing City-owned downstream facilities have sufficient capacity to serve the development. The Developer is responsible for all upfront costs associated with designing and constructing said sanitary sewer extensions within the portions of East View Drive and 1st Avenue NW being constructed by the Developer. Per the MOU the City will reimburse the Developer for 100% of the construction costs of the sanitary sewer extension within the public-right-of-way including sewer pipes and manholes upon certification and acceptance of the improvements by the City. Said reimbursement shall be on terms and conditions mutually acceptable to the City and County. Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

All future buildings within the plat area shall be charged the standard Sewer Access Charge (SAC) in effect at the time of building permit issuance. Per the MOU the SAC units for the

proposed Public Safety Center site (Lot 1 Block 1 Cannon River View) shall be calculated according to the "Police Station" business type category in the City's adopted classification table found here: <https://metro council.org/Wastewater-Water/Funding-Finance/Rates-Charges/Sewer-Availability-Charge/SAC-Pubs/Appendix-A-SAC-Criteria-for-Commercial-Properties.aspx>

WATERMAIN

The development is proposed to be served by public watermain facilities. Twelve-inch watermains shall be extended within 1st Avenue NW and Eastview Drive except eight-inch watermains shall be extended within 1st Avenue NW south of Eastview Drive. The Developer is responsible for all upfront costs associated with designing and constructing said watermain extensions within the portions of East View Drive and 1st Avenue NW being constructed by the Developer. Per the MOU the City will reimburse the Developer for 100% of the construction costs of the watermain extension within the public-right-of-way including watermain pipes, fittings, valves and hydrants upon certification and acceptance of the improvements by the City. Said reimbursement shall be on terms and conditions mutually acceptable to the City and County.

All future buildings within the plat area shall be charged the standard Water Access Charge (WAC) in effect at the time of building permit issuance. Per the MOU the WAC units for the proposed Public Safety Center site (Lot 1 Block 1 Cannon River View) shall be calculated according to the "Police Station" business type category in the City's adopted classification table found here: <https://metro council.org/Wastewater-Water/Funding-Finance/Rates-Charges/Sewer-Availability-Charge/SAC-Pubs/Appendix-A-SAC-Criteria-for-Commercial-Properties.aspx>

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans. Final hydrant location and spacing shall be approved by the Fire Chief.

LIGHTING & ELECTRIC UTILITIES

The Developer shall be responsible for the cost of installing street lighting as required by City Council Resolution NO. 2003-198. Developer shall submit a proposed street light layout plan to the City for review and approval. Developer shall pay the electric company for the purchase of all components of the street lighting system as approved by the City and all costs incurred by the utility company for the installation of the street light system not covered in the electric utility company rate for this service. The City and electric company shall enter into a contractual agreement for the operation and maintenance of the street lighting system.

Per Section 15-380 of Appendix B (Unified Development Regulations) of the City Code of Ordinances, all utilities that serve newly developing areas are to be placed underground. The Developer shall be responsible for arranging and coordinating with the respective utility company and paying for any related costs for the movement of any existing overhead utilities within the proposed development (except for the existing overhead electric transmission lines)

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

STORM SEWER

The development includes the construction of public storm sewer systems. 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. 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.

WETLANDS

There are no known wetlands shown on the preliminary plat.

CONSTRUCTION ACCESS

Construction traffic access and egress for grading, utility, and building construction shall be restricted to a single construction access.

RECOMMENDATION

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

- Developer shall submit engineered drawings and cost estimate for the public street and utility improvements.
- Developer shall submit storm water drainage calculations.
- Developer shall submit a street lighting layout plan.
- An updated title commitment report shall be submitted for review.
- Developer shall revise plat submittal documents according to comments in this report and other comments provided under separate cover prior to the final plat being considered by the City Council.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits consistent.

Exhibit E: Memorandum of Understanding for Rice County Public Safety Center Related Improvements

MEMORANDUM OF UNDERSTANDING for Rice County Public Safety Center Related Improvements

WHEREAS, the County of Rice, acting by and through its Board of County Commissioners, hereinafter referred to as the "County", and the City of Faribault, Minnesota, acting by and through its City Council, hereinafter referred to as the "City", have negotiated the general terms and conditions for the cooperation of completing public improvements related to the construction of the new Rice County Public Safety Center; and

WHEREAS, the County and City have reviewed and discussed the proposed public improvements and have developed a preliminary understanding of terms and conditions to proceed with said public improvements; and

WHEREAS, the County and City wish to enter into this memorandum to establish the framework for completing the public improvements of the roadways and public infrastructure, to include the improvements to be made, amount and terms of compensation, and other requirements; and

NOW, THEREFORE, BE IT MUTUALLY AGREED, Rice County does hereby agree to:

- Deed to the City all of Rice County PID 18.19.4.25.001
- Deed to the City all of Rice County PID 18.19.1.75.001 south of the centerline of the City of Faribault Official Map No. 1 – East View Drive
- Deed to the City all of Rice County PID 18.19.1.50.001 south of the proposed right-of-way for the extension of East View Drive east of TH 3
- Dedicate to the City a trail and drainage and utility easements either via plat or separate easement document a width not to exceed 100-feet along the old railroad corridor from the centerline of the City of Faribault Official Map No. 1 – East View Drive to the northern limits of Rice County PID 18.19.1.75.001
- Rice County agrees to dedicate all necessary future public right of way for the extension of East View Drive east of its current proposed terminus as needed to facilitate the construction of a future street extension across the Cannon River as shown on the City of Faribault Official Map No. 1 – East View Drive
- Rice County shall select, contract and manage the construction contract including making payments directly to the selected contractor, and the hiring of a qualified design consultant for the extension of 1st Avenue NW and East View Drive roadway and public utility extensions outside of the City's separate contract identified as SP 6612-102, SAP 125-010-017, City Contract 2023-04.
- Rice County agrees to cooperate with the City and the property owners at 18295 Faribault Boulevard, in the platting of the property PID 11.19.1.25.004, and dedicating the necessary right-of-way for the City improvement contract identified as SP 6612-102, SAP 125-010-017, City Contract 2023-04.
- Rice County shall select, contract and manage the construction contract including making payments directly to the selected contractor, and the hiring of a qualified design consultant for the design and construction of a regional stormwater basin and storm sewer infrastructure within the public roadways. County shall pay their prorated share of the design and construction of said regional stormwater basin based on a contributing share of acres drained to the basin. County shall also dedicate a public drainage and utility easement over said basin if deemed necessary.

- Rice County agrees to pay for the standard sewer access charge (SAC) and water access charge (WAC) fees for the new public safety center according to the rates and policies in effect at the time of building permit submittal. SAC/WAC units shall be calculated according to the "Police Station" business type category in the City's adopted classification table found here: <https://metro council.org/Wastewater-Water/Funding-Finance/Rates-Charges/Sewer-Availability-Charge/SAC-Pubs/Appendix-A-SAC-Criteria-for-Commercial-Properties.aspx>
- If deemed necessary to serve the Rice County Public Safety Center and other adjacent land owned by the County identified for future redevelopment, Rice County agrees to pay for all costs related to the design and construction of a public lift station.
- Rice County agrees to acknowledge the City of Faribault as a partner in the development of the Rice County Public Safety Center Development as well as any future development on the surrounding lands served by the street and public infrastructure extensions.
- Rice County agrees in lieu of submitting a cash escrow for development review fees does hereby agree to reimburse the City for costs that would normally be paid from said escrow within 30 days of the City submitting an invoice to the County. City shall invoice the County for eligible expenses no more than monthly.

ALSO, BE IT MUTUALLY AGREED, the City of Faribault does hereby agree to:

- Reimburse the County for the construction costs of the extension of public sanitary sewer and watermain within 1st Avenue NW and East View Drive outside of the City's separate contract identified as SP 6612-102, SAP 125-010-017, City Contract 2023-04. Said reimbursement shall be on terms and conditions mutually acceptable to the City and County.
- City agrees to quit claim deed to the County all City interest in any excess roadway easements related to the former TH 218 corridor.
- Reimburse the County based on their prorated share of the design and construction of said regional stormwater basin and storm sewer infrastructure within the public roadways based on a contributing share of acres drained to the basin. Said reimbursement shall be on terms and conditions mutually acceptable to the City and County.
- Reimburse the County for all construction oversizing costs of the public infrastructure including public utilities and street costs.
- City agrees to allow the County to dedicate a future public lift station if deemed necessary to the City and said lift station to become the property of the City and be operated and maintained by the City similar to other lift stations in the City. City also agrees to pay a prorated portion of the lift station design and construction costs if said lift station is determined to serve a service area in addition to lands owned by Rice County.
- City of Faribault agrees to acknowledge Rice County as a partner in the redevelopment of any of the parcels deeded to the City by the County.

ALSO, BE IT MUTUALLY AGREED, that said terms of this memorandum of understanding shall be the basis for the drafting and execution of a development agreement between Rice County and the City of Faribault and all other standard development agreement terms not included in this memorandum shall apply.

IN WITNESS OF THE ABOVE, the parties have caused this memorandum of understanding to be executed on the date and year written below.

Page 2 of 4



COUNTY OF RICE

By: Jim Purfeerst 4/26/22
Jim Purfeerst, Chairperson Date

By: Sara Folsted 4/26/22
Sara Folsted, County Administrator Date

STATE OF MINNESOTA)
)ss
COUNTY OF RICE)

The foregoing instrument was acknowledged before me this 26th day of April, 2022, by Jim Purfeerst and Sara Folsted, the chairperson and county administrator, respectively, of the County of Rice.



Shari L. Noll
Notary Public

CITY OF FARIBAULT

By: Kevin F. Voracek 4/12/2022
Kevin F. Voracek, Mayor Date

By: Timothy C. Murray 4/12/2022
Timothy C. Murray, City Administrator Date

STATE OF MINNESOTA)
)ss
COUNTY OF RICE)



The foregoing instrument was acknowledged before me this 12th day of April, 2022, by Kevin F. Voracek and Timothy C. Murray, the mayor and city administrator, respectively, of the City of Faribault.

Heather Slechta
Notary Public





Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: May 2, 2022
SUBJECT: Conditional Use Permit for a Jail associated with the Proposed Rice County Public Safety Center East of State Highway 3 and 30th Street NW, on Properties with Rice County PIDs 18.19.1.00.002, 18.19.1.25.001, and 18.19.1.50.001.

Background:

Rice County (the "Applicant" and the "Owner") requested a conditional use permit to develop a jail within the proposed Rice County Public Safety Center on property east of State Highway 3 and 30th Street NW (the "subject property"). The subject property is in the P/I, Public/Institutional district per City of Faribault Ordinance 2022-9. The jail portion of the proposed public safety center requires a conditional use permit.

The proposed jail is in an appropriate location with easy access to State Highway 3. It will be a secured facility with an appropriate landscaped buffer. The proposed jail will be in a quality institutional facility with materials and landscaping that will enhance the surrounding area. The facility will not impose hazards or safety concerns on neighboring properties.

City Staff recommends approval of the Applicant's conditional use permit request. If the City Council approves the request, the City's Development Review Committee will review and approve the Applicant's final plans before construction starts late this year or early next year.

Recommendation:

Recommend that the City Council approve Resolution 2022-xxx Approve a Conditional Use Permit to Develop a Jail within the Proposed Rice County Public Safety Center East of State Highway 3 and 30th Street NW

Attachments:

1. Resolution 2022-xxx Approve a CUP for a Jail related to the Proposed Rice County Public Safety Center

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-XXX

APPROVE A CONDITIONAL USE PERMIT TO DEVELOP A JAIL WITHIN THE PROPOSED RICE COUNTY PUBLIC SAFETY CENTER EAST OF STATE HIGHWAY 3 AND 30TH STREET NW

WHEREAS, Rice County (the “Applicant” and the “Owner”) requested a conditional use permit to develop a jail within the proposed Rice County Public Safety Center on property east of State Highway 3 and 30th Street NW, legally described in Exhibit A; and

WHEREAS, the subject property is in the P/I, Public/Institutional zoning district per City of Faribault Ordinance 2022-9; and

WHEREAS, Table 13-2 in the City of Faribault Unified Development Ordinance requires a conditional use permit for a jail in the P/I, Public/Institutional zoning district; and

WHEREAS, no portion of the proposed jail will be in the Shoreland Management District, the Floodplain Management District, or the Wild and Scenic River Overlay District; and

WHEREAS, the Planning Commission held a public hearing regarding the Applicant’s request on May 2, 2022, following proper notice of the public hearing; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the following written findings:

- 1. The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

Expanded Finding: The proposed jail is in an appropriate location near State Highway 3. It is a secured facility that provides an adequate landscaped buffer. The proposed jail would not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.

- 2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Expanded Finding: The proposed jail is appropriately located and buffered from existing and proposed adjacent uses. The jail would not be injurious to the use and enjoyment of the property in the area and it would hinder orderly development in the area.

- 3. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Expanded Finding: The proposed jail is a quality institutional facility with materials and landscaping that enhance the surrounding area.

- 4. The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed jail is a secured facility with an appropriate landscaped buffer that will not impose hazards or disturbing influence on neighboring properties.

- 5. The conditional use will not substantially diminish the value of neighboring properties.**

Expanded Finding: The proposed jail is a quality, secured institutional facility with an appropriate landscaped buffer that will not substantially diminish the value of neighboring properties.

- 6. The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.**

Expanded Finding: Public sewer, water, and all other applicable municipal services will serve the subject property and the proposed jail.

- 7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

Expanded Finding: The proposed facility will not create new demands for facilities and services at public cost. The proposed facility will address issues with the existing County jail, which will benefit the economic welfare of the community.

- 8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**

Expanded Finding: The proposed jail development associated with the proposed CANNON RIVER VIEW plat will improve traffic circulation in the area. The jail will not promote traffic congestion.

- 9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

Expanded Finding: The proposed jail will be on the former Faribault Foods spray fields, so there will be no loss of natural, scenic, or historic features of major importance to the community. The proposed jail is not located in the Wild and Scenic River Overlay district, the Shoreland Management district, nor the Floodplain Management district.

- 10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Expanded Finding: Per Resolution 2022-086, the City's Land Use Plan guides the proposed jail property for public/institutional use. The proposed jail is consistent with the City's Land Use Plan.

11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.

Expanded Finding: The proposed addition is consistent with setback and all other applicable City Code requirements.

WHEREAS, the City Council held a public meeting on May 10, 2022, to consider the Applicant's conditional use permit request; and

WHEREAS, based on the City Staff report, the results of the public hearing, and the written findings of the Planning Commission, the City Council concurs with the Planning Commission's written findings 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: Approval of the requested conditional use permit. The City Council hereby approves the Applicant's conditional use permit request to develop a jail associated with the proposed Rice County Public Safety Center in the P/I, Public Institutional zoning district.

Section 2: Conditions attached to the approval of the conditional use permit. The conditional use permit includes the following conditions:

1. The Owner must construct the proposed addition and related site work in substantial conformance (as determined by City Staff) with the concept plans shown in Exhibit B of this resolution.
2. The Applicant must receive all required permits and approvals from the City and all other applicable regulatory authorities before starting construction on the proposed development. More specifically, the Applicant must received site plan approval from the City's Development Review Committee for the proposed Rice County Public Safety Center, in which the proposed jail will be located.
3. This conditional use permit will automatically be voided if the proposed construction has not taken place within one (1) year of the approval of the conditional use permit unless the City Council has granted a petition for a time extension. The Owner must submit a written request for extension at least thirty (30) days

before the expiration of the conditional use permit and must state facts showing a good faith effort to complete the work permitted under the original approval.

4. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.
5. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.
6. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.
7. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.
8. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.
9. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 3. Findings and incorporation of recitals and exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 4. Authorization to take additional steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

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

Date Adopted: May 10, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

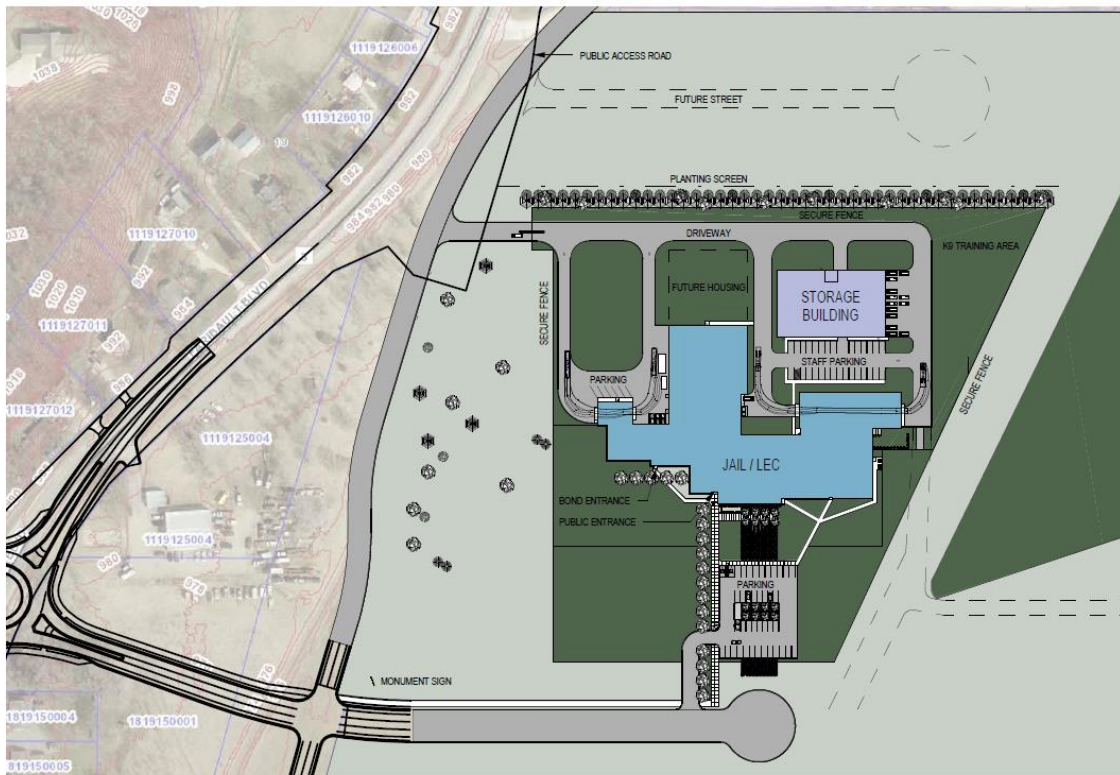
Exhibit A
Legal Description

Lot, Block 1, CANNON RIVER VIEW

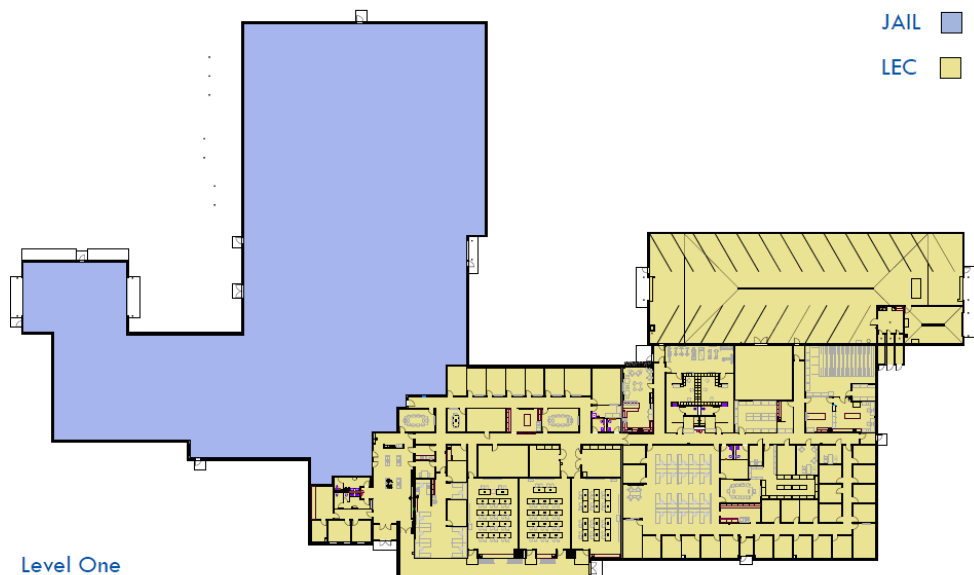
Exhibit B

Concept Plans for the Proposed Jail within the Proposed Rice County Public Safety Center

RICE COUNTY PUBLIC SAFETY CENTER



RICE COUNTY PUBLIC SAFETY CENTER



B-1

RICE COUNTY PUBLIC SAFETY CENTER



RICE COUNTY PUBLIC SAFETY CENTER







Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: May 2, 2022
SUBJECT: Amend the Development Standards Outlined in Section 3 of Ordinance 2007-19 Rezoning of Real-Property to Create a Planned Unit Development Mixed -Use for Divine Mercy Catholic Church

Background:

Divine Mercy Catholic Church (the "Applicant") is the fee owner of land parcels south of Mercy Drive and east of CR 45/Albers Avenue in Faribault (the "subject property"). In 2007, the City Council approved Ordinance 2007-19, which created a planned unit development (PUD) for the existing and proposed development on the subject property. The PUD provisions allow the existing single-family residential use at 22685 Albers Avenue to remain with certain conditions. The Applicant is now proposing to convert the single-family residence into a place of assembly for church-related events. The proposed change of use requires an amendment to the PUD.

The Applicant envisions that the proposed place of assembly will be an interim use that will be removed once the ballfields associated with the planned schools shown in the PUD Master Plan are constructed. However, the proposed place of assembly may remain for ten or more years. Given the envisioned temporary nature of the use, the Applicant would prefer that the City waive curbing requirements associated with the required paved parking area. However, the City has consistently required other redevelopment sites to bring nonconforming conditions closer to conformity. Consequently, Staff recommends flexibility to allow the proposed use (even though the use is not served by municipal sewer and water), but require the use to provide adequate parking on a hard surface with concrete curb. Staff also recommends limiting the number of people that can occupy the structure and

related to site to 50 people.

In a related matter, someone from the public notified the City that the Applicant did not remove the existing private drive between the existing single-family residence and the existing church as required by the PUD. Consequently, the Applicant has agreed to rectify this issue immediately.

Refer to the attached ordinance for additional details. The proposed parking area is shown in Exhibit B of the proposed ordinance amendment. City Staff will provide additional information at the public hearing on May 2.

Recommendation:

Recommend that the City Council approve Ordinance 2022-x Amend the Development Standards Outlined in Section 3 of Ordinance 2007-19 Rezoning of Real Property to Create a Planned Unit Development Mixed-Use for Divine Mercy Catholic Church

Attachments:

1. Ordinance 2022-x Amend the Development Standards Outlined in Section 3 of Ordinance 2007-19

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

**AMEND THE DEVELOPMENT STANDARDS OUTLINED IN SECTION 3 OF ORDINANCE
2007-19 REZONING OF REAL PROPERTY TO CREATE A PLANNED UNIT
DEVELOPMENT MIXED-USE FOR DIVINE MERCY CATHOLIC CHURCH**

WHEREAS, Divine Mercy Catholic Church (the "Applicant") is the fee owner of land parcels south of Mercy Drive and east of CR 45/Albers Avenue in Faribault (the "subject property") legally described in Exhibit A; and

WHEREAS, related to the subject property, the Faribault City Council approved Ordinance 2007-19 Rezoning of Real Property to Create a Planned Unit Development Mixed-Use for Divine Mercy Catholic Church (see Exhibit C); and

WHEREAS, Section 3, Item 4 of Ordinance 2007-19 allows the existing single-family residence on the subject property to serve as interim use with certain conditions; and

WHEREAS, Section 3, Item 10 of Ordinance 2007-19 requires "any proposed use of the single-family dwelling other than as a single-family home or rectory, or being removed for development of ball fields/open space, shall require an amendment to the PUD"; and

WHEREAS, the Applicant discontinued the single-family dwelling use and has requested approval of a PUD amendment to convert the former dwelling into a place of assembly; and

WHEREAS, Section 3, Item 9 of Ordinance 2007-19 allows access to the single-family residential use from CR 45/Albers Avenue – however, the ordinance requires that Rice County review the access in light of any proposed change in use; and

WHEREAS, Rice County Highway Department staff reviewed the proposed

change in use from a single-family dwelling to a place of assembly and determined that access to the existing structure from CR 45/Albers Avenue may continue provided that the occupancy of the structure does not exceed 50 people and that there be no private vehicular drive between the existing church/future school and the proposed place of assembly in the former single-family dwelling; and

WHEREAS, the Applicant intends to remove the structure housing the proposed place of assembly when there is a need for ballfields or playfields associated with a future middle school and/or high school on the site; and

WHEREAS, City Staff completed a review of the Applicant's PUD amendment request and made a report to the Faribault Planning Commission, a copy of which has been presented to the Faribault City Council; and

WHEREAS, the Planning Commission held a public hearing on May 2, 2022, following proper notice; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's PUD amendment request based on the following findings as required by Section 2-180 of the City's Unified Development Ordinance as follows:

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

Finding: The City's Land Use Plan guides the subject property for institutional uses. The proposed PUD amendment to convert the former single-family residential use into a place of assembly does not conflict with the City's Land Use Plan.

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

Finding: The proposed PUD amendment to convert the former single-family residence into a place of assembly will provide opportunities for parishioners and, presumably others, to gather in a unique setting that helps build 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 proposed PUD amendment does not change the property's zoning classification.

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

Finding: The proposed PUD amendment does not change the property's zoning classification.

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

Finding: The proposed PUD amendment does not change the property's zoning classification.

WHEREAS, the Planning Commission's recommendation to approve the Applicant's PUD amendment request is based on the following findings as required by Section 14-410 of the City's Unified Development Ordinance:

1. **Adequate property control is established and provided to protect the individual owner's rights and property values and to define legal responsibilities for maintenance and upkeep.**

Expanded finding: The Applicant is the fee owner of all of the properties in the PUD and is legally responsible for all maintenance and upkeep.

2. **The interior circulation plan and access from and onto public right-of-way does not create congestion or dangers and is adequate for the safety of the project residents and general public.**

Expanded finding: The Rice County Highway Department reviewed the proposed PUD amendment would not create traffic congestion or dangers on CR 45/Albers Avenue provided that the proposed place of assembly does not allow the occupancy of the structure and related site to exceed 50 people.

3. **A sufficient amount of usable open space is provided.**

Expanded finding: The proposed PUD amendment would have minimal impact on the existing open space.

4. **The arrangement of buildings, structures, and accessory uses does not unreasonably disturb the privacy of**

surrounding property owners or reduce the value of adjacent properties.

Expanded finding: The proposed PUD amendment would have a minimal effect on the arrangement of structures on the site. The proposed use would generally have less daily traffic and use than a typical single-family residential use. The proposed use would have more people and traffic at specific times than the former single-family residential use. However, the proposed use would accommodate the parking on the east side of the structure, where it will not unreasonably disturb the privacy or reduce the value of neighboring properties.

5. The architectural design of the project is compatible with the surrounding area.

Expanded finding: The proposed amendment does not change the exterior appearance of the former single-family residence, which is compatible with the surrounding land uses.

6. The project will not place a burden on existing municipal infrastructure, including utility and drainage systems.

Expanded finding: The proposed use will place a burden on the City's infrastructure. The former single-family residence will continue to be served by onsite sewer and water until it is feasible to serve the use with municipal sewer and water.

7. The development schedule ensures a logical development of the site, protecting the interests of project residents and the general public.

Expanded finding: The Applicant intends to remove the subject structure and access drive when the ballfields associated with the future middle school and/or high school are developed. The Applicant's phased development plan is logical.

8. The planned unit development is in reasonable compliance with the intent and purpose of the Land Use Plan.

Expanded finding: The proposed place of assembly use contemplated by the Applicant's PUD amendment request is consistent with the City's Land Use Plan, which guides the subject property for institutional use; and

WHEREAS, at a public meeting on May 10, 2022, and a public meeting on _____, 2022, the City Council considered the Applicant's PUD amendment request and concurred with the recommendations and findings of

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

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Amend Ordinance 2007-19, Section 3. The City Council of the City of Faribault has hereby determined that Ordinance 2007-19, Section related to the Divine Mercy Catholic Church PUD be amended by the addition of the underlined language and removal of the ~~stricken~~ language as follows:

Section 3. The PUD shall be subject to the following development standards:

1. The education use (including early childhood center) and 48-unit senior housing use shall be allowed as conditional uses within the PUD, and shall be processed according to the provisions governing Conditional Use Permits in the Unified Development Ordinance in effect at the time of such applications. Provided the proposed conditional uses meet all PUD and/or underlying R-2 zoning district standards in effect at the time of application, no amendment to the PUD will be required.
2. Platting will be required as future phases of the PUD are developed. Such platting shall be processed according to Chapter 15 of the Unified Development Ordinance, or other Subdivision standards in effect at the time of such plat. Provided the proposed plat conforms to the provisions and intent of the original PUD and Subdivision Regulations, such platting will not require an amendment to the Planned Unit Development.
3. Development of the site shall be according to the approved overall conceptual development plan attached as Exhibit C, which shall be modified as follows:
 - a. To show landscape buffering compliant with the base number of plantings (no discount for wider buffer area) in the area of the future play fields and school building.
 - b. Additional landscaping for impervious acreage is required at a rate of three trees per acre of impervious surface.
 - c. In addition to the standard enclosure and screening requirements for trash handling and loading areas, the developer shall be required to enhance screening by planting additional appropriate landscaping as approved by city staff.

- d. To meet minimum parking standards for the 1200 seat sanctuary.
- 4. ~~The phase one development plan shall be revised to show the immediate interim use of the existing single-family home and the layout of the driveway to show how it will serve the residential use and the construction project, including required surface improvements of either concrete or bituminous and restoration plan for the construction access. Before its eventual removal, as shown in the PUD Master Plan, the former single-family residence may be used as a place of assembly with the following conditions:~~
 - A. The place of assembly must be in general conformance with the concept plan shown in Exhibit B of this ordinance. The Applicant must receive all required permits and approvals from the City and other applicable regulatory authorities before starting site construction.
 - B. The occupancy of the structure and site associated with the place of assembly shall not exceed 50 people.
 - C. The Applicant must confirm with the applicable regulatory authority that the septic system is compliant and sufficiently sized for the proposed use. If the septic system is determined to be non-compliant, the Applicant must bring the system into compliance as specified by the regulatory authority. The Applicant must connect the use to municipal sewer and water when deemed feasible by the City Engineer.
 - D. The Applicant must confirm with the applicable regulatory authority that the existing well is compliant and will be tested per all applicable regulations related to the proposed use.
 - E. The place of assembly must provide a minimum of twelve (12) parking spaces per the City's Unified Development Ordinance. One of the twelve (12) parking spaces must be an accessible space per the Minnesota Accessibility Code. Per the City Code of Ordinances, all parking must be on an approved hard surface such as concrete or bituminous.
- 5. In addition to the standard enclosure and screening requirements for trash handling and loading areas, the developer shall be

required to enhance screening by planting additional appropriate landscaping as approved by city staff.

6. All parking areas and access drives shall be hard surfaced with concrete or bituminous, have 6" insurmountable concrete curb and gutter (including parking lot landscape islands), and be striped in compliance with City Code standards. The City Engineer may waive the requirement for a six-inch insurmountable concrete curb and gutter in parts or all of the site development associated with the former single-family residence if the City Engineer deems the insurmountable curb would create practical drainage difficulties.
7. Detailed site development plans for phase one construction, including final landscape, lighting, parking, and trash enclosures, shall be submitted and approved by the Development Review Committee prior to recording of the PUD and plat, and shall be attached hereto as Exhibit C-1 to C-6 prior to recording.
8. The pond in the northeast corner of the PUD shall be constructed with phase one development.
9. ~~Access to the single-family use may continue as long as it is used for that purpose or as a low intensity residential rectory use by the Church. At such time as a change in use is proposed, access is subject to review and revocation, as determined appropriate by Rice County Highway Department.~~ Access to the former single-family residence from CR 45/Albers Avenue may continue with the following conditions:
 - A. The Applicant must obtain all required approvals and permits from the Rice County Highway Department for any Applicant-proposed changes or any County-required changes to the existing access.
 - B. The occupancy of the structure and related site served by the access must not exceed fifty (50) people.
 - C. The access must only serve the former single-family residence site. The access shall not be used for vehicular circulation serving the existing church/future school.
 - D. The Applicant must either immediately remove the illegal private drive between the existing church and former single-family residence or barricade or otherwise prevent the use of the illegal drive.

However, the Applicant must fully remove the illegal private drive and properly restore the site by October 31, 2024.

10. ~~Any proposed use of the single family dwelling other than as a single family home or rectory, or as being removed for development of ball fields/open space, shall require an amendment to the PUD. Any change of use or intensification in the proposed place of assembly use identified in Exhibit B of this ordinance shall require an amendment to this PUD.~~
11. ~~The single family dwelling/rectory shall be connected to municipal services as required by City Code upon becoming available thereto.~~

Section 2. Findings and incorporation of recitals and exhibits. The recitals and exhibits incorporated in this ordinance constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 3. Authorization to take additional steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and City Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this ordinance.

Section 4. Effective date of this ordinance. This Ordinance takes effect and is in force after its passage and publication, per Section 3.05 of the City Charter.

Public Hearing: May 2, 2022

First Reading: May 10, 2022

Second Reading: _____

Publication Date: _____

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A:
Legal Description

Lot 1, Block 3, DIVINE MERCY CATHOLIC CHURCH

Exhibit B
Concept Plan Showing the Conversion of the Former Single-Family Residence into a Place of Assembly

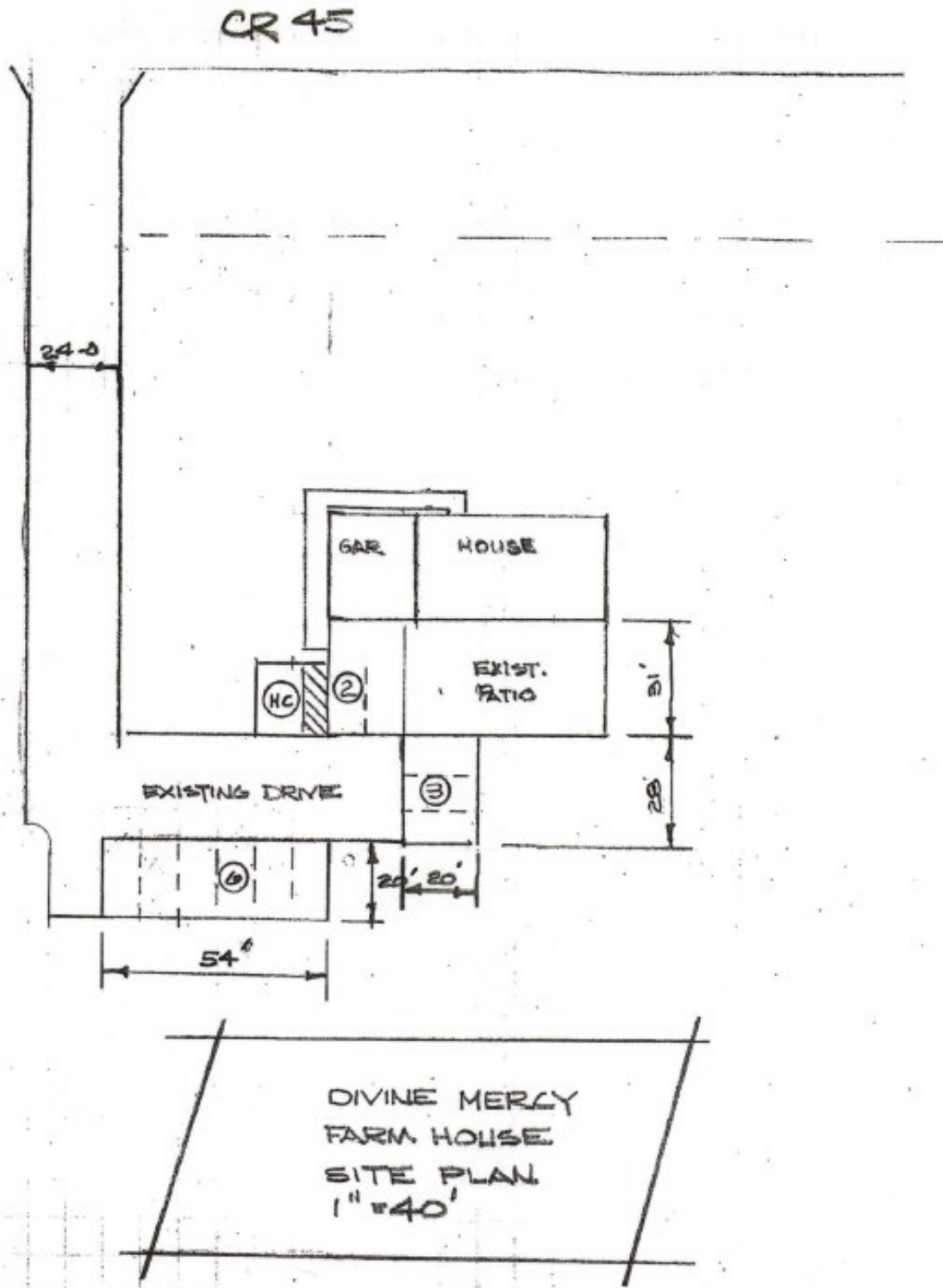


Exhibit C:
Ordinance 2007-19

Document No.
593826



I hereby certify that the within instrument was filed in this office
for record on 10-11-2007 at 10:23 ☒ AM ☐ PM



OFFICE OF COUNTY RECORDER
RICE COUNTY, MINN

No. of Pages 15

Marsha DeGroot
Rice County Recorder

**CITY OF FARIBAULT
ORDINANCE 2007-19**

**REZONING OF REAL PROPERTY TO CREATE
A PLANNED UNIT DEVELOPMENT-MIXED USE
Divine Mercy Catholic Church**

WHEREAS, Catholic Church of Divine Mercy of Faribault, Donald Reuvers, and Richard and Mary Ann Langeslag, have submitted a request to rezone certain real property within the City of Faribault, County of Rice, Minnesota; and

WHEREAS, City staff has completed a review of the application and made a report pertaining thereto (PUD-PP-40-07), a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 7th day of August, 2007, following proper notice, held a public hearing regarding the request, and following said public hearing adopted a recommendation that the Divine Mercy Catholic Church Planned Unit Development-Mixed, which is being platted as Lot 1, Block 3 and Outlots B and C in the plat of Divine Mercy Catholic Church, be approved; and

WHEREAS, the City Council, on the 14th day of August, 2007, following proper notice, held a public hearing to consider the proposed rezoning, and all interested persons were provided an opportunity to comment; and

WHEREAS, the City Council finds that approving the Divine Mercy Catholic Church Planned Unit Development-Mixed is in the best interest of the City, with the following findings:

1. Adequate property control is established and provided to protect the individual owner's rights and property values and to define legal responsibilities for maintenance and upkeep.
2. The interior circulation plan and access from and onto public right-of-way does not create congestion or dangers and is adequate for the safety of the project residents and general public.
3. A sufficient amount of usable open space is provided for use by project residents and uses of the site.

4. The arrangement of buildings, structures, and accessory uses does not unreasonably disturb the privacy of surrounding property owners or reduce the value of adjacent properties.
5. The architectural design of the project is compatible with the surrounding area.
6. The project will not place a burden on existing municipal infrastructure, including utility and drainage systems.
7. The development schedule insures a logical development of the site, protecting the interests of project residents and the general public.
8. The planned unit development is in compliance with the intent and purpose of the Land Use Plan.
9. The proposed plat conforms to the requirements of the Unified Development Ordinance and proposed zoning district regulations and proposed Planned Unit Development overlay zoning district.
10. The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles. Development of the site in the manner proposed can provide needed infrastructure improvements to service the project as a whole.
11. The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.

THE CITY OF FARIBAULT ORDAINS:

Section 1: Amendment. The Faribault Unified Development Ordinance is hereby amended to show a certain tract of land situated in the City of Faribault, County of Rice, Minnesota, now zoned R-2, Low Density Residential District to have a PUD-M, Planned Unit Development-Mixed Overlay District to accommodate the Divine Mercy Catholic Church religious, education, and senior housing campus, as described in the attached **Exhibit A-1 and A-2**, and as shown on the proposed zoning map attached as **Exhibit B**.

Section 2: Specific Code Waivers and Planned Unit Development Requirements. The following code waivers shall be allowed:

1. Waiver to allow more than one principal structure/use on a residentially zoned property, to include the Divine Mercy Catholic Church worship, education, and administration building, single family residence and associated existing out buildings, and senior housing use up to 48 units.
2. Waiver to allow a multi-family senior dwelling with up to 48 units on property zoned R-2.
3. Height waiver for portion of church building which will be 40' where 35' is allowed.

All future phases shall meet minimum code standards or the provisions of this document or will be required to be processed as a PUD amendment.

Section 3. The PUD shall be subject to the following development standards:

1. The education use (including early childhood center) and 48-unit senior housing use shall be allowed as conditional uses within the PUD, and shall be processed according to the provisions governing Conditional Use Permits in the Unified Development Ordinance in effect at the time of such applications. Provided the proposed conditional uses meet all PUD and/or underlying R-2 zoning district standards in effect at the time of application, no amendment to the PUD will be required.
2. Platting will be required as future phases of the PUD are developed. Such platting shall be processed according to Chapter 15 of the Unified Development Ordinance, or other Subdivision standards in effect at the time of such plat. Provided the proposed plat conforms to the provisions and intent of the original PUD and Subdivision Regulations, such platting will not require an amendment to the Planned Unit Development.
3. Development of the site shall be according to the approved overall conceptual development plan attached as Exhibit C, which shall be modified as follows:
 - a. To show landscape buffering compliant with the base number of plantings (no discount for wider buffer area) in the area of the future play fields and school building.
 - b. Additional landscaping for impervious acreage is required at a rate of three trees per acre of impervious surface.
 - c. In addition to the standard enclosure and screening requirements for trash handling and loading areas, the developer shall be required to enhance screening by planting additional appropriate landscaping as approved by city staff.
 - d. To meet minimum parking standards for the 1200 seat sanctuary.
4. The phase one development plan shall be revised to show the immediate interim use of the existing single family home and the layout of the driveway to show how it will serve the residential use and the construction project, including required surface improvements of either concrete or bituminous and restoration plan for the construction access.
5. In addition to the standard enclosure and screening requirements for trash handling and loading areas, the developer shall be required to enhance screening by planting additional appropriate landscaping as approved by city staff.
6. All parking areas and access drives shall be hard surfaced with concrete or bituminous, have 6" insurmountable concrete curb and gutter (including parking lot landscape islands), and be striped in compliance with City Code standards.
7. Detailed site development plans for phase one construction, including final landscape, lighting, parking, and trash enclosures, shall be submitted and approved by the Development Review Committee prior to recording of the PUD and plat, and shall be attached hereto as **Exhibit C-1 to C-6** prior to recording.
8. The pond in the northeast corner of the PUD shall be constructed with phase one development.
9. Access to the single-family use may continue as long as it is used for that purpose or as a low intensity residential rectory use by the Church. At such time as a

change in use is proposed, access is subject to review and revocation, as determined appropriate by Rice County Highway Department.

10. Any proposed use of the single family dwelling other than as a single family home or rectory, or as being removed for development of ball fields/open space, shall require an amendment to the PUD.
11. The single family dwelling/rectory shall be connected to municipal services as required by City Code upon becoming available thereto.

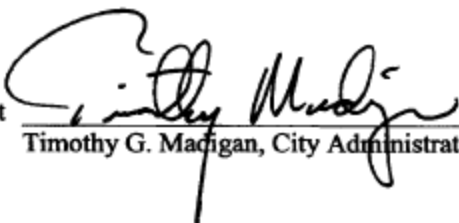
Section 3: Effective Date. This ordinance shall take effect and be in force 30 days from and after its passage and publication, in accordance with Section 3.09 of the City Charter.

First Reading: August 14, 2007
Second Reading: August 28, 2007
Published: September 1, 2007

Faribault City Council

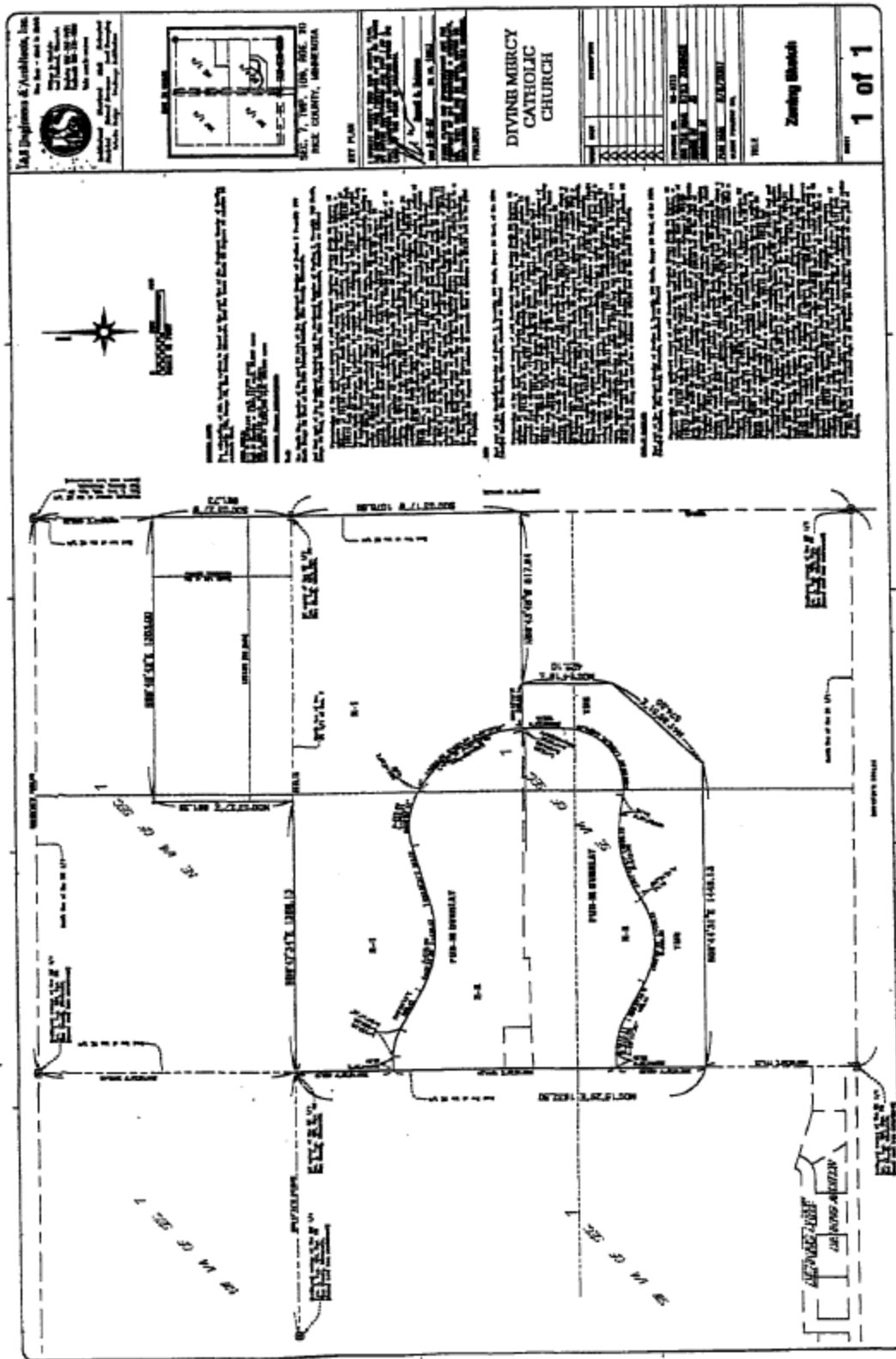


Chuck Ackman, Mayor

Attest 

Timothy G. Madigan, City Administrator

EXHIBIT-A-1
ORDINANCE 2007-19



**EXHIBIT A-2
ORDINANCE 2007-19**

Legal Description

PUD-M, PLANNED UNIT DEVELOPMENT-MIXED OVERLAY DISTRICT:

That part of the Southeast Quarter of Section 7, Township 109 North, Range 20 West, of the Fifth Principal Meridian, Rice County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 00 degrees 15 minutes 29 seconds East, assumed bearing along the west line of said Southeast Quarter, a distance of 711.32 feet; thence South 89 degrees 44 minutes 31 seconds East a distance of 1448.13 feet; thence North 41 degrees 38 minutes 51 seconds East a distance of 574.80 feet; thence North 00 degrees 14 minutes 19 seconds East a distance of 425.10 feet; thence North 89 degrees 43 minutes 48 seconds West a distance of 210.19 feet to the point of beginning; thence 12.89 feet southerly along a non-tangential curve, concave westerly, having a radius of 584.00 feet, a central angle of 01 degrees 15 minutes 53 seconds and a chord bearing of South 00 degrees 26 minutes 34 seconds East; thence South 00 degrees 09 minutes 23 seconds West a distance of 185.73 feet; thence 478.15 feet southwesterly along a tangential curve, concave northwesterly, having a radius of 276.77 feet and a central angle of 98 degrees 58 minutes 56 seconds; thence North 80 degrees 51 minutes 42 seconds West a distance of 94.15 feet; thence 398.42 feet westerly along a tangential curve, concave southerly, having a radius of 547.00 feet and a central angle of 41 degrees 43 minutes 57 seconds; thence South 57 degrees 24 minutes 21 seconds West a distance of 24.15 feet; thence 420.51 feet westerly along a tangential curve, concave northerly, having a radius of 388.00 feet and a central angle of 62 degrees 05 minutes 46 seconds; thence North 60 degrees 29 minutes 53 seconds West a distance of 192.44 feet; thence 177.11 feet northwesterly along a tangential curve, concave southerly, having a radius of 347.00 feet and a central angle of 29 degrees 14 minutes 38 seconds; thence North 89 degrees 44 minutes 31 seconds West a distance of 66.89 feet to said west line of the Southeast Quarter; thence North 00 degrees 15 minutes 29 seconds East along said west line a distance of 1044.24 feet; thence South 89 degrees 44 minutes 31 seconds East a distance of 65.84 feet; thence 137.30 feet southeasterly along a tangential curve, concave southerly, having a radius of 269.00 feet, a central angle of 29 degrees 14 minutes 38 seconds; thence South 60 degrees 29 minutes 53 seconds East a distance of 202.49 feet; thence 428.67 feet easterly along a tangential curve, concave northerly, having a radius of 535.00 feet and a central angle of 45 degrees 54 minutes 30 seconds; thence North 73 degrees 35 minutes 37 seconds East a distance of 283.49 feet; thence 289.81 feet easterly along a tangential curve, concave southerly, having a radius of 345.00 feet and a central angle of 48 degrees 07 minutes 47 seconds; thence South 58 degrees 16 minutes 36 seconds East a distance of 0.42 feet; thence 582.70 feet southeasterly along tangential curve, concave southwesterly, having a radius of 584.00 feet and a central angle of 57 degrees 10 minutes 05 seconds to the point of beginning.

City of Faribault Official Zoning Map

August 2, 2007

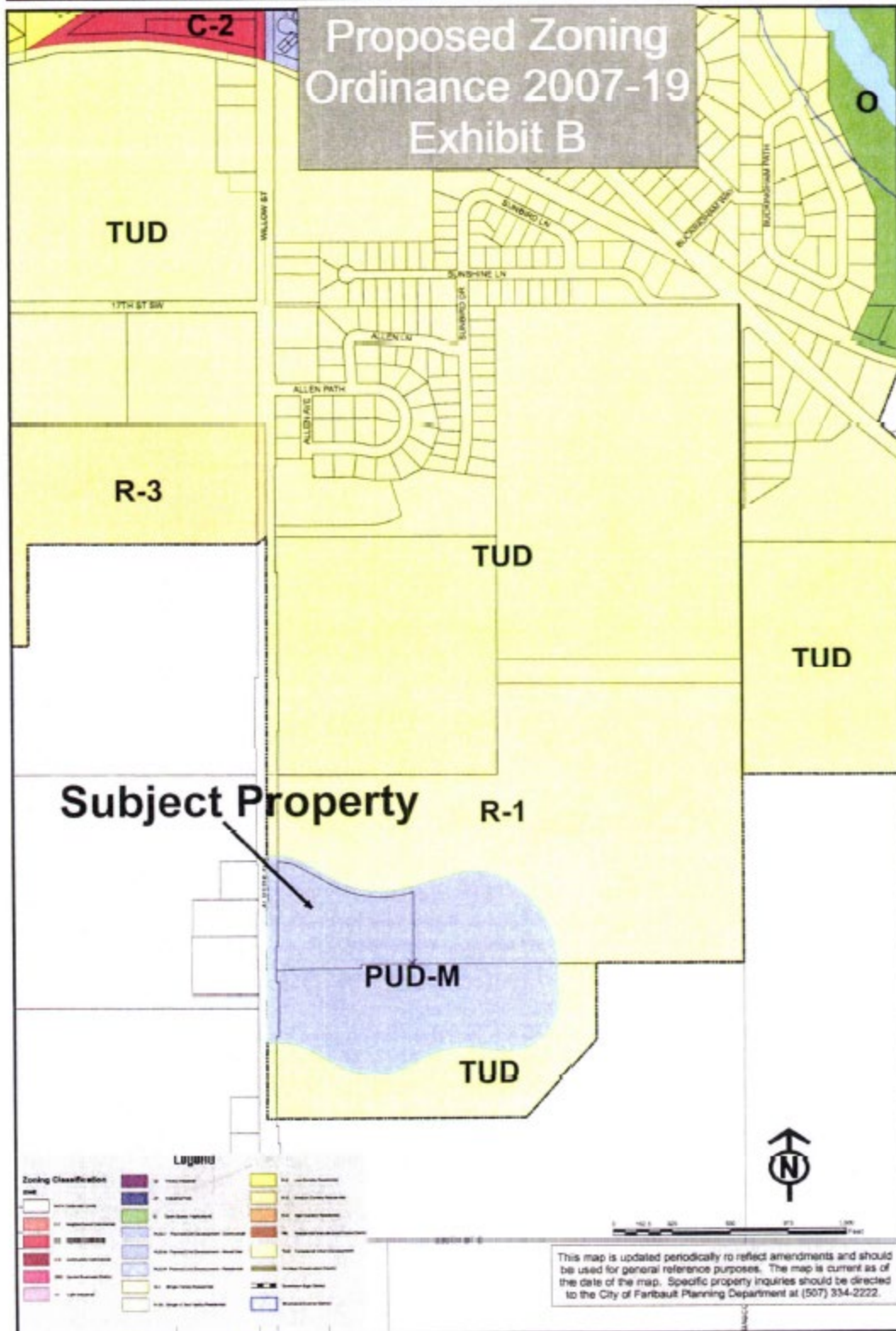
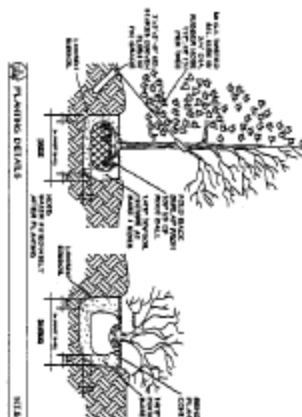


EXHIBIT C-1 ORDINANCE 2007-19

LANDSCAPE CALCULATION - MASTER PLAN

ITEM	QUANTITY	UNIT	REMARKS
1. LANDSCAPE AREA	10,000	SQ. FT.	
2. TREES	100	EA.	
3. SHRUBS	1,000	EA.	
4. MULCH	10,000	CY.	
5. SOIL	10,000	CY.	
6. FERTILIZER	10,000	LBS.	
7. WATER	10,000	MGAL.	
8. IRRIGATION	10,000	FT.	
9. FENCE	10,000	FT.	
10. LIGHTS	10,000	EA.	
11. SEATING	10,000	EA.	
12. STAIRS	10,000	EA.	
13. WALKWAYS	10,000	EA.	
14. DRIVEWAYS	10,000	EA.	
15. PARKING	10,000	EA.	
16. TOTAL	10,000	EA.	



PLANTING SCHEDULE - MASTER PLAN

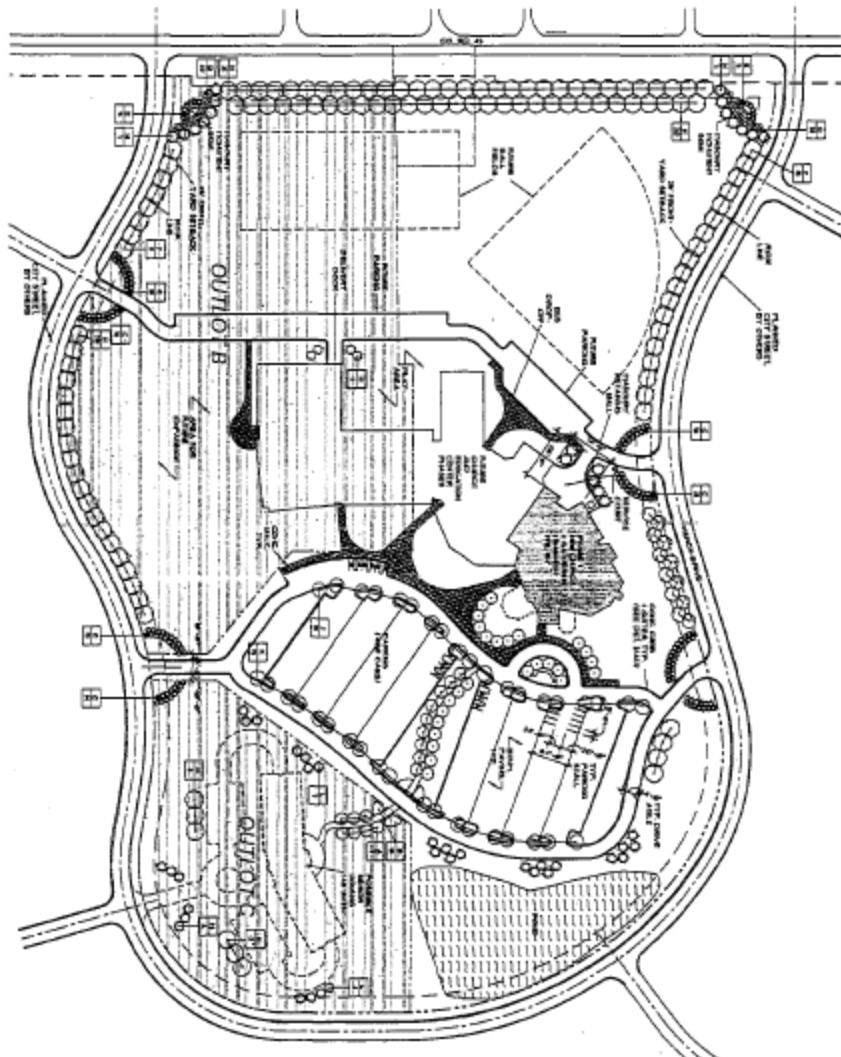
ITEM	QUANTITY	UNIT	REMARKS
1. TREES	100	EA.	
2. SHRUBS	1,000	EA.	
3. MULCH	10,000	CY.	
4. SOIL	10,000	CY.	
5. FERTILIZER	10,000	LBS.	
6. WATER	10,000	MGAL.	
7. IRRIGATION	10,000	FT.	
8. FENCE	10,000	FT.	
9. LIGHTS	10,000	EA.	
10. SEATING	10,000	EA.	
11. STAIRS	10,000	EA.	
12. WALKWAYS	10,000	EA.	
13. DRIVEWAYS	10,000	EA.	
14. PARKING	10,000	EA.	
15. TOTAL	10,000	EA.	

LANDSCAPE CALCULATION - MASTER PLAN

ITEM	QUANTITY	UNIT	REMARKS
1. LANDSCAPE AREA	10,000	SQ. FT.	
2. TREES	100	EA.	
3. SHRUBS	1,000	EA.	
4. MULCH	10,000	CY.	
5. SOIL	10,000	CY.	
6. FERTILIZER	10,000	LBS.	
7. WATER	10,000	MGAL.	
8. IRRIGATION	10,000	FT.	
9. FENCE	10,000	FT.	
10. LIGHTS	10,000	EA.	
11. SEATING	10,000	EA.	
12. STAIRS	10,000	EA.	
13. WALKWAYS	10,000	EA.	
14. DRIVEWAYS	10,000	EA.	
15. PARKING	10,000	EA.	
16. TOTAL	10,000	EA.	

PARKING CALCULATION

ITEM	QUANTITY	UNIT	REMARKS
1. PARKING AREA	10,000	SQ. FT.	
2. TREES	100	EA.	
3. SHRUBS	1,000	EA.	
4. MULCH	10,000	CY.	
5. SOIL	10,000	CY.	
6. FERTILIZER	10,000	LBS.	
7. WATER	10,000	MGAL.	
8. IRRIGATION	10,000	FT.	
9. FENCE	10,000	FT.	
10. LIGHTS	10,000	EA.	
11. SEATING	10,000	EA.	
12. STAIRS	10,000	EA.	
13. WALKWAYS	10,000	EA.	
14. DRIVEWAYS	10,000	EA.	
15. PARKING	10,000	EA.	
16. TOTAL	10,000	EA.	



LANDSCAPE KEY

ITEM	QUANTITY	UNIT	REMARKS
1. TREES	100	EA.	
2. SHRUBS	1,000	EA.	
3. MULCH	10,000	CY.	
4. SOIL	10,000	CY.	
5. FERTILIZER	10,000	LBS.	
6. WATER	10,000	MGAL.	
7. IRRIGATION	10,000	FT.	
8. FENCE	10,000	FT.	
9. LIGHTS	10,000	EA.	
10. SEATING	10,000	EA.	
11. STAIRS	10,000	EA.	
12. WALKWAYS	10,000	EA.	
13. DRIVEWAYS	10,000	EA.	
14. PARKING	10,000	EA.	
15. TOTAL	10,000	EA.	

PUD MASTER LAYOUT & LANDSCAPE PLAN

New Worship & Education Center
DIVINE MERCY CATHOLIC CHURCH
Fairbault, Minnesota

MCL

MECHANICAL CONSULTANTS
ELECTRICAL CONSULTANTS
STRUCTURAL CONSULTANTS

DATE: 10/1/07
BY: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]

EXHIBIT C-2A
ORDINANCE 2007-19

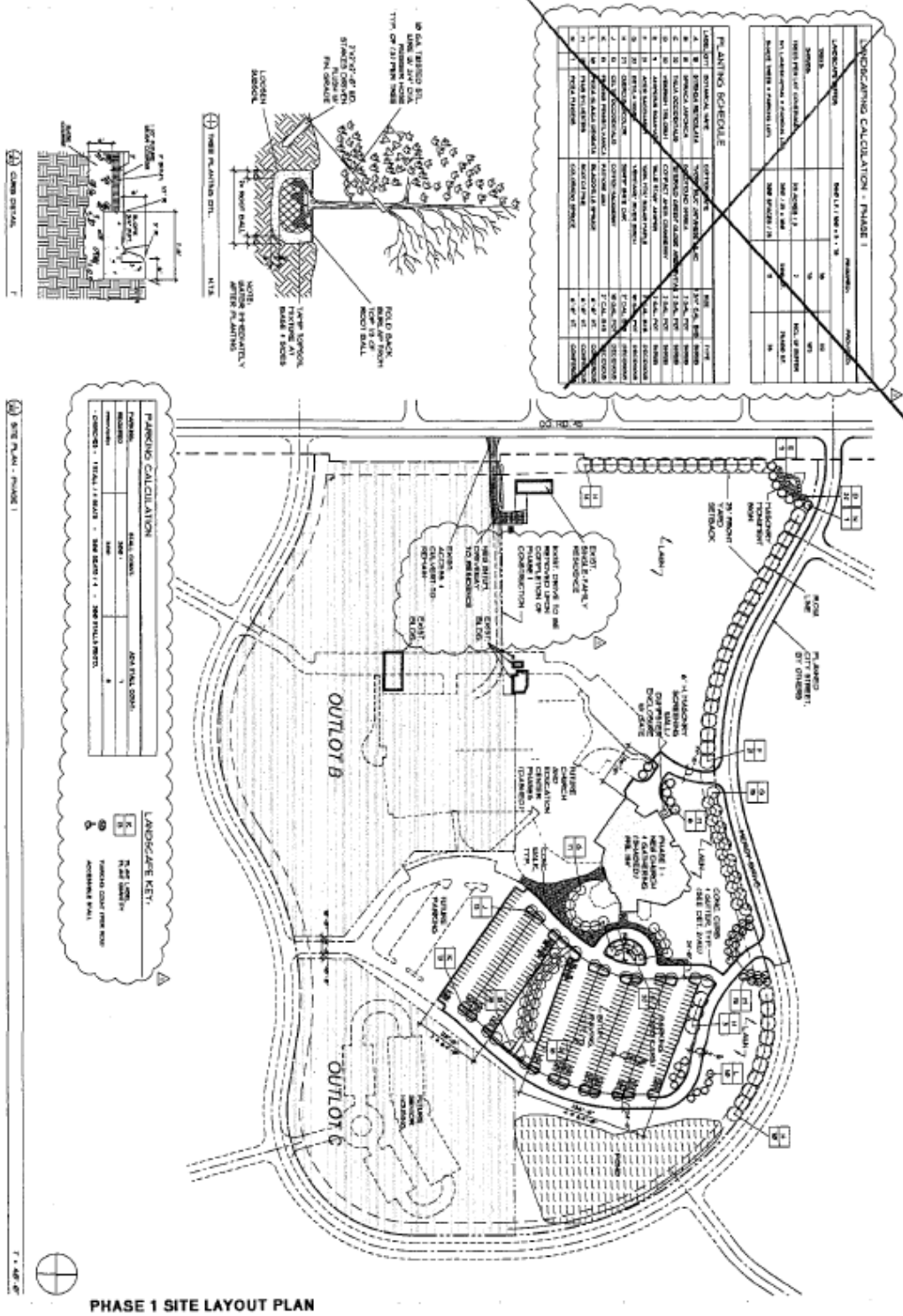
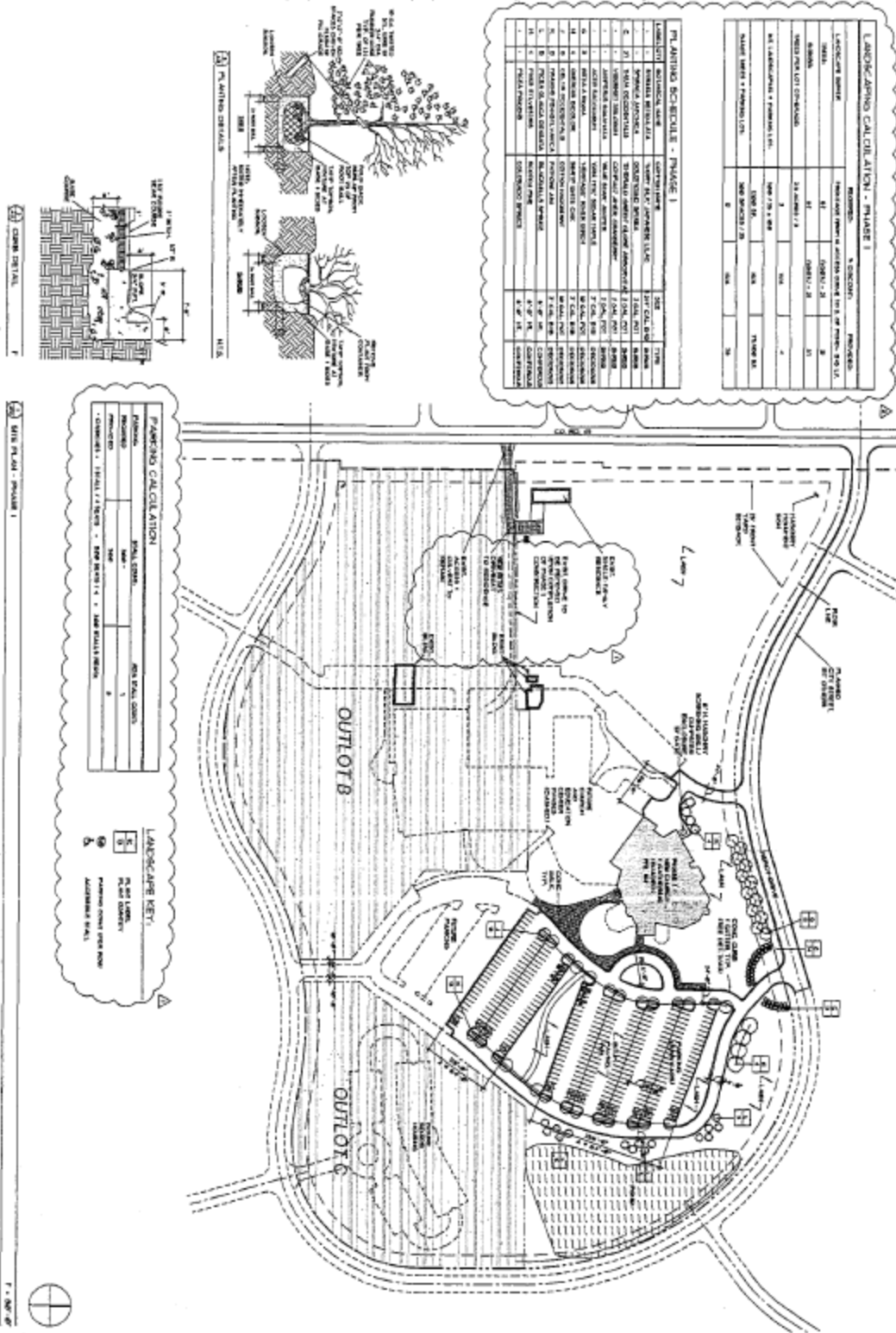
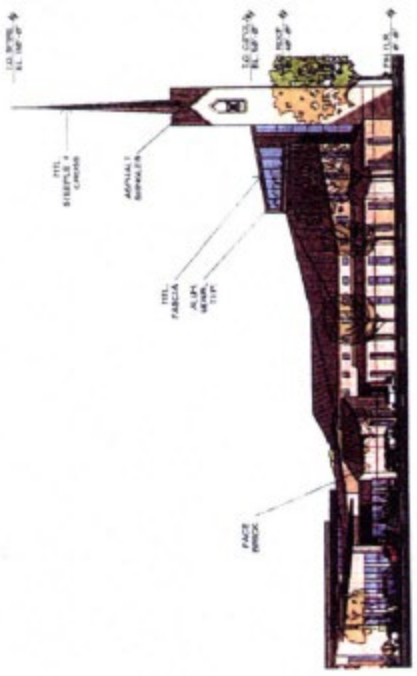


EXHIBIT C-2B
ORDINANCE 2007-19



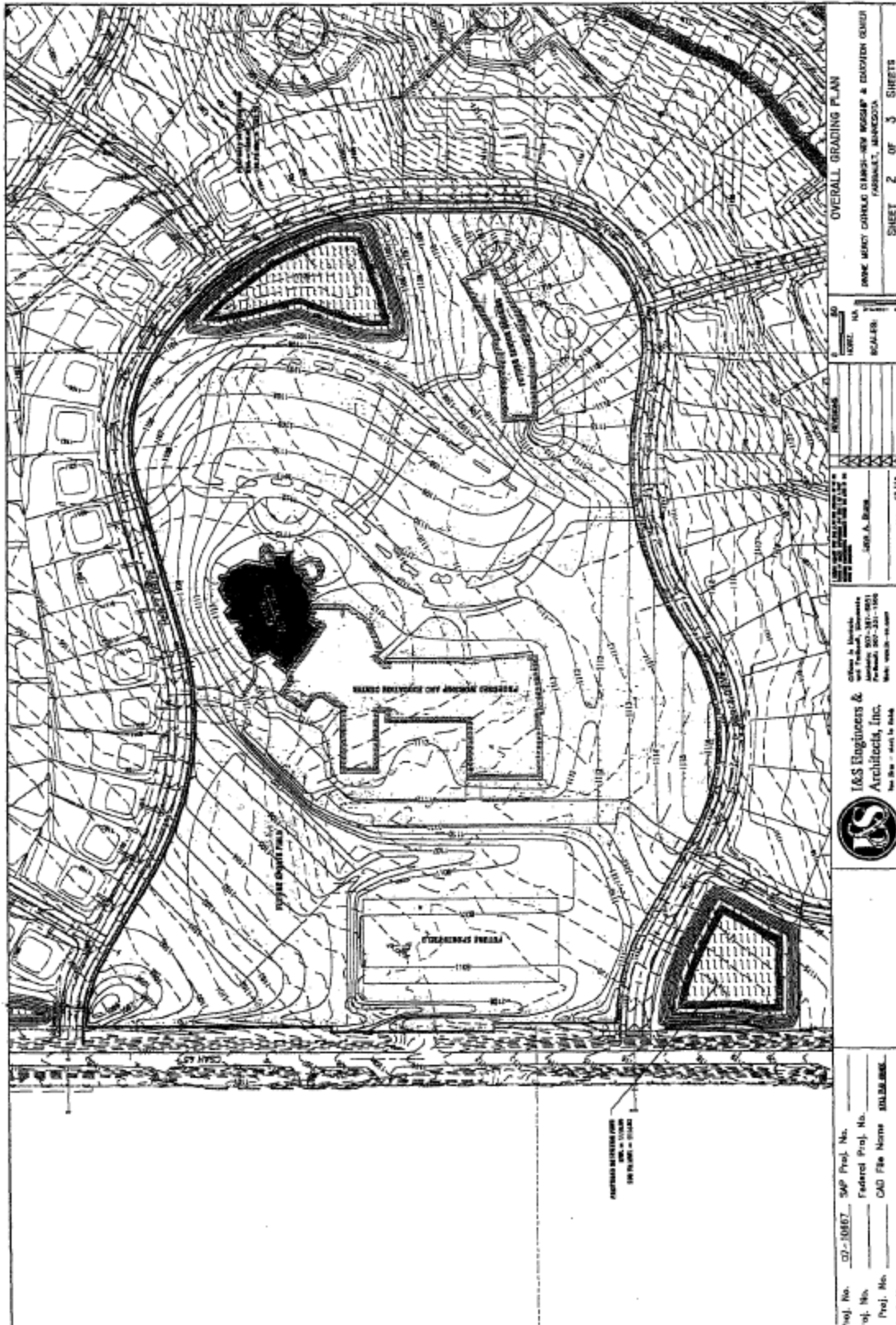
PHASE 1 LANDSCAPE PLAN

 MCL	New Worship & Education Center DIVINE MERCY CATHOLIC CHURCH Faribault, Minnesota	MCL MAJORIS CONSULTING ENGINE ARCHITECTS, INC. 10000 Highway 100, Suite 200, Minneapolis, MN 55426	CIVIL CONSULTANTS	MECHANICAL/ELECTRICAL/PLUMBING	STRUCTURAL CONSULTANTS	ELECTRICAL CONSULTANTS	I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota. _____ Date _____	DATE BY (Signature) FOR (Signature) CHIEF ENGINEER FOR THE (Signature)	REVISIONS 1. _____ 2. _____ 3. _____
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[illegible]

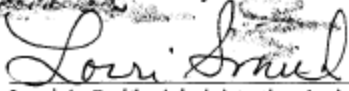
J. No. <u>07-10057</u> SAP Proj. No. _____ E. No. _____ Federal Proj. No. _____ Proj. No. _____ CAD File Name <u>0000000000</u>	 J&S Engineers & Architects, Inc. One Penn Plaza Suite 1000 Philadelphia, PA 19103 Tel: (215) 381-1000 Fax: (215) 381-1001 Web: www.jands.com	OFFICE: 1000 Penn Plaza, Suite 1000, Philadelphia, PA 19103 PROJECT: 07-10057, One Penn Plaza, Suite 1000, Philadelphia, PA 19103 DATE: 07/10/07 SCALE: 1/8" = 1'-0" SHEET: 3 OF 3	OVERALL UTILITY PLAN ONE PENN PLAZA, SUITE 1000, PHILADELPHIA, PA 19103 SHEET 3 OF 3
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EXHIBIT C-6
ORDINANCE 2007-19



CERTIFICATION

I, Lorri Smith, Administrative Assistant for City of Faribault, do hereby certify that the foregoing Ordinance is a true and exact copy of Ordinance 2007-19 as adopted by the Faribault City Council at a duly authorized meeting on August 28, 2007.



Lorri A. Smith, Administrative Assistant

Aug 30, 2007

Date

593826



Request for Planning Commission

TO: Planning Commission
THROUGH: Deanna Kuennen, Community & Economic Development Director
FROM: David Wanberg, City Planner
MEETING DATE: May 2, 2022
SUBJECT: Final Plat approval of RSA Properties LLC Subdivision at 1919 2nd St NW, PID # 18.36.2.50.018

Background:

On February 22, 2022, the Faribault City Council approved Resolution 2022-045, which approved a preliminary plat for 1919 2nd Street NW. Rick Amundson (the "Applicant") on behalf of Sun Companies, LLC (the Owner of 1919 2nd Street NW - C&S Vending) has now requested final plat approval of RSA PROPERTIES LLC SUBDIVISION. The proposed final plat is consistent with the preliminary plat. Refer to the City Engineer's report (included in Exhibit C of the attached resolution) for additional information. City Staff recommends approval of the proposed plat. Presuming the City Council approves the final plat and related development agreement, the Applicant intends to submit an application later this year for a multi-family development on the proposed Lot 2, Block 1 of the plat.

Recommendation:

Recommend that the City Council approve Resolution 2022-xxx Approve Final Plat of RSA PROPERTIES LLC SUBDIVISION.

Attachments:

1. Resolution 2022-xxx Approve Final Plat of RSA PROPERTIES LLC SUBDIVISION

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-xxx

APPROVE THE FINAL PLAT OF RSA PROPERTIES LLC SUBDIVISION

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

WHEREAS, on February 22, 2022, the City Council approved Resolution 2022-045, which approved the preliminary plat of RSA PROPERTIES LLC SUBDIVISION; and

WHEREAS, the Planning Commission held a public hearing on May 2, 2022, held a public hearing to review the Applicant's final plat request, listen to public comments, and make a recommendation to the City Council regarding the Applicant's request; and

WHEREAS, the Planning Commission, following the May 2, 2022, public hearing, recommended that the Faribault City Council approve the requested final plat of RSA PROPERTIES LLC SUBDIVISION based on the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

1. The final plat substantially conforms to the approved preliminary plat.

2. The plat conforms to all applicable requirements of the Unified Development Ordinance, subject only to approved rule exceptions.
3. All submission requirements have been satisfied.

WHEREAS, at a public meeting on May 10, 2022, the City Council considered the Applicant's requests for final plat approval and concurred with the recommendations and findings of the Planning Commission as stated in the above recitals and hereby makes identical findings.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault as follows:

Section 1: Final plat approval. City Council hereby approves the preliminary plat and the final plat of RSA PROPERTIES LLC SUBDIVISION legally described in Exhibit A and depicted in Exhibit B of this resolution based on the written findings in this resolution and subject to the following conditions:

1. The City Council's approvals of the final plat of RSA PROPERTIES LLC SUBDIVISION are contingent on the City Attorney's plat opinion, review of title work, and any further requirements thereof.
2. The Applicant and the City must enter into a Developer's Platting Agreement to the satisfaction of the City Attorney and City Engineer before recording the RSA PROPERTIES LLC SUBDIVISION plat with Rice County.
3. The Applicant shall pay the required cash in lieu of parkland dedication at the time the Applicant applies for a building permit associated with the proposed multi-family residential development on the plat.
4. The Applicant must address all plat-related comments described in the City Engineer's memo included in Exhibit C of this resolution.
5. The Applicant must record the final plat with the Rice County Recorder's Office within twelve (12) months following City Council approval, or the City Council will automatically, without further action, deem the plat null and void unless the City Council extends the deadline to record the final plat.

6. The Applicant must provide the City Engineer with a signed mylar copy of the final plat as soon as possible after all signatures have been obtained and after the final plat has been successfully recorded at Rice County.
7. The Applicant must provide the City Engineer with the final plat in a digital format suitable to the City Engineer as soon as possible after the Applicant has successfully recorded the final plat at Rice County.

Section 2. Findings and incorporation of recitals and exhibits. The recitals and exhibits incorporated in this resolution constitute the City Council's written findings protecting the public's health, safety, and welfare.

Section 3. Authorization to take additional steps. The City Council hereby authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 4. Authorization to execute documents. The City Council hereby authorizes and directs the Mayor and the City Administrator to take all necessary actions and execute all appropriate documents to effectuate the approvals contemplated by this resolution.

Section 5. Effective date. This resolution shall become effective immediately upon its passage and without publication.

Date Adopted: May 10, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A: **Legal Description**

All that part of Lots 57 and 58 of the State Sub-Division of the Southwest Quarter and the West One-Half of Northwest Quarter of Section 36, Township 110 North, Range 21 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as:

Beginning at a point on the southeasterly line of said Lot 58, which is also the center line of Fourth Street in said City of Faribault, 127.9 feet southwesterly of the Southeast corner of said Lot 58, which point of beginning is also 1293.5 feet northeasterly of the southwest corner of Lot 59 of said State Subdivision; thence northwesterly at right angles to the said southeasterly line of Lot 58, 189 feet; thence North parallel with and distant 1131 feet East of the west line of said Northwest Quarter of said Section 36, 467.8 feet to a point 828 feet south of the north line of said Lot 58; thence East, parallel with the north lines of Lot 58 and 57, 563.35 feet to a point on the west line of the east 8 acres of said Lot 57, 286.33 feet west of the east line of said Lot 57; thence South, parallel with the east line of Lot 57, 180.07 feet to a point 266.21 feet north of the southeasterly line of Lot 57; thence westerly parallel with the north line of said Lots 57 and 58, 419.16 feet to a point 44.89 feet west of the east line of said Lot 58 and 1008.07 feet south of the north line of said Lot 58, thence south parallel to said east line of said Lot 58, 230.21 feet; thence southeasterly and at right angles with the said south line of said Lots 57 and 58, 189 feet to said south line of said Lots 57 and 58, which is also the center line of said Fourth Street within the City of Faribault, County of Rice, State of Minnesota; thence southwesterly along said south line of Lots 57 and 58, 154.90 feet to the place of beginning.

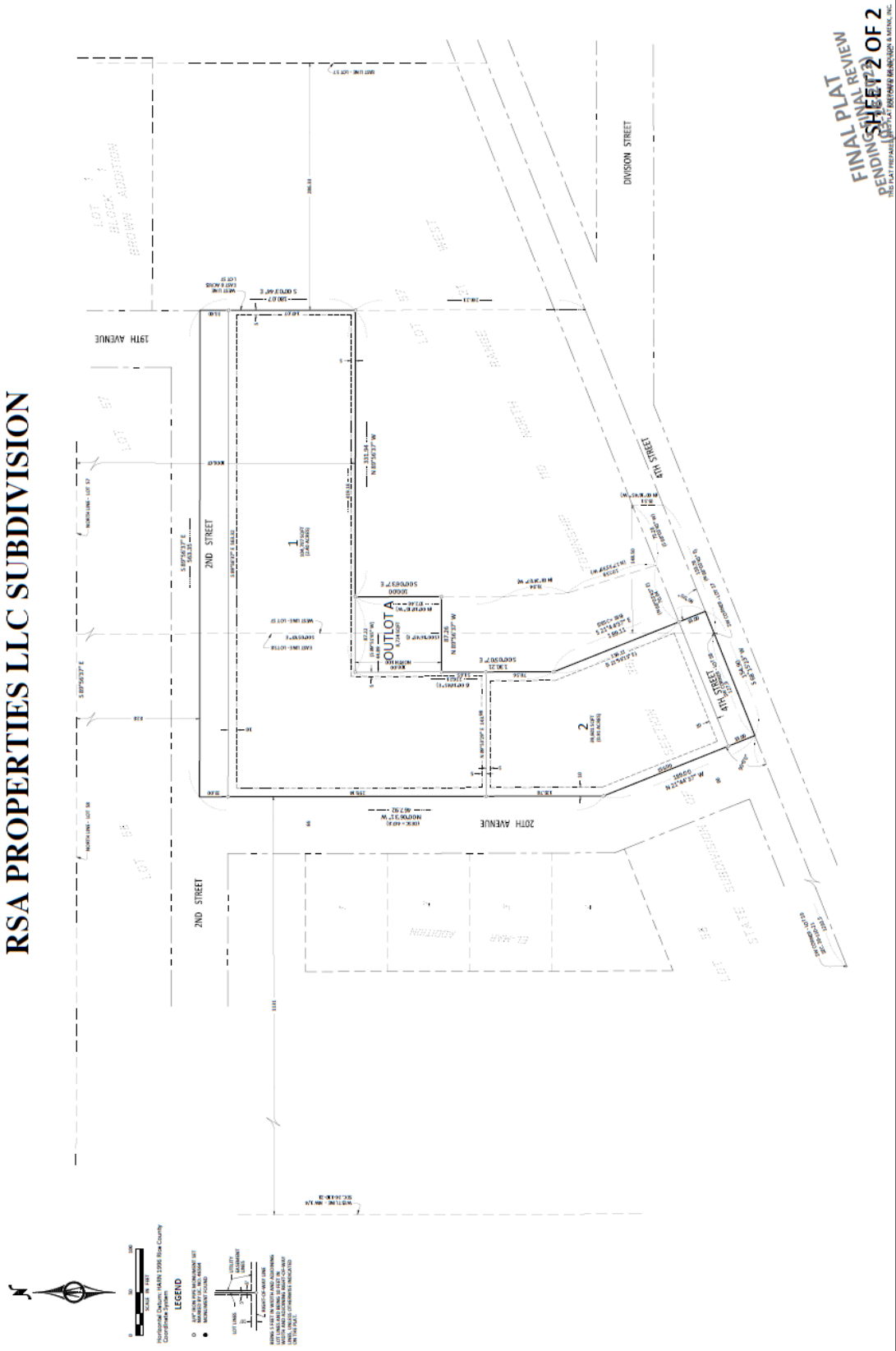
AND ALSO

The North 100.00 feet of the following described parcel: Part of Lots 57 and 58, State Subdivision of Section 36, Township 110 North, Range 21 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota described as follows:

Beginning at the southwesterly corner of said Lot 57; thence North 68°03'45" East, assumed bearing, along the southeasterly line of said Lot 57, said line also being the center line of Fourth Street in said City of Faribault, 159.78 feet; thence North 0°16'45" West, parallel with said west line of Lot 57, a distance of 35.51 feet to a point in the northwesterly line of said Fourth Street, which is 148.5 feet East of the west line of said Lot 57; thence South 68°03'45" West, along said northwesterly line of Fourth Street, 75.28 feet to the true point of beginning of the parcel to be herein described; thence North 17°35'39" West, 107.58 feet; thence North 3°24'07" West, 73.94 feet; thence North 0°18'15" West, 172.46 feet to a point in a line 1008.07 feet South of the north line of said Lot 57; thence South 89°51'45" West, along a line, parallel with said 1008.07 feet southerly from said north line of Lots 57 and 58, a distance of 87.22 feet to a point 44.89 feet west of the east line of said Lot 58; thence South 0°16'45" East, parallel with said east line of Lot 58, a distance of 230.21 feet; thence southeasterly, at right angles to said northwesterly right of way line of Fourth Street, 156.11 feet to a point in said northwesterly line of Fourth Street, 70.64 feet southwesterly from said true point of beginning; thence North 68°03'45" East, along said northwesterly line of Fourth Street, 70.64 feet to said true point of beginning.

OFFICIAL PLAT COPY

RSA PROPERTIES LLC SUBDIVISION



FINAL PLAT
PENDING REVIEW
PENDING SHEET 2 OF 2
THIS PLAT PREPARED BY: J. R. BROWN, SURVEYOR, INC.

Exhibit C:
City Engineer's Report



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: April 29, 2022

SUBJECT: RSA Properties LLC Subdivision Final Plat Review

BACKGROUND

Rick Amundson, on behalf of Sun Companies Properties Management, has submitted a final plat application 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

The proposed subdivision recently received approval for a comprehensive plan amendment to change the land use designation for the proposed Lot 2, RSA Properties LLC Subdivision to Commercial/Residential as well as the adjacent property not included in the 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

Lot 2, RSA Properties LLC Subdivision was recently rezoned to R-4 High Density Residential as well as the adjacent property not included in the 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).

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 final plat for RSA Properties LLC Subdivision. The final 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)

Current title work has been submitted with the final plat application and will be subject to the review of the City and City Attorney's office before the plat may be signed and recorded.

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 are no known existing easement within the plat area.

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 plat.

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 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 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 standalone 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 plat.

RECOMMENDATION

Engineering recommends approval of the Final Plat 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.
- All encroachments in violation of City Code such as the driveway, shall be removed or appropriate easements and/or agreements shall be submitted to the City for review.
- Developer shall comply with all conditions of the City Attorney's plat opinion.
- 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 and Economic Development Director
FROM: Peter Waldock, Planning Coordinator
MEETING DATE: May 2, 2022
SUBJECT: Conditional Use Permit for single-family residential use in the C-2, Highway Commercial District at 930 1st St. NE, PID # 18.32.2.75.006

Background:

Richard and Angela Jeanes are seeking a CUP for Single Family use in the C-2 Highway Commercial District at 930 1st St. NE. As part of the residential use they plan to operate a licensed home daycare at the site. They operate an in-home Daycare now and are seeking to convert the former shop area for daycare use. The site is currently zoned C-2 Highway Commercial District. The property has a single-family dwelling with the former repair shop in the lower level. The previous occupant had lived on premise and operated a business there as well, but a Conditional Use Permit (CUP) now required for residential uses in this district had not previously been issued by the City for this site.

Please refer to the detailed staff report attached below for further information.

Recommendation:

City staff recommends approval of the CUP as requested for Single Family use with an in-home daycare in the C-2 District, at 930 1st Street NE based on the findings and subject to the conditions of approval found in the draft resolution provided for this application.

Attachments:

1. Draft Resolution Approving a CUP for Residential Use at 930 1st St NE

2. Staff Report To Planning Commission - Jeanes CUP
3. Application -- Jeanes for CUP 930 1st St NE
4. Certificate of Survey - 930 1st St NE

State of Minnesota
County of Rice

CITY OF FARIBAULT

RESOLUTION #2022-__

APPROVE A CONDITIONAL USE PERMIT FOR A CONDITIONAL USE PERMIT FOR SINGLE-FAMILY RESIDENTIAL USE IN THE C-2, HIGHWAY COMMERCIAL DISTRICT AT 930 1ST ST. NE

WHEREAS, Richard and Angela Jeanes (the Applicants), have requested a conditional use permit a single-family residence with an in-home daycare in the C-2 Highway Commercial District at 930 1st Street NE, legally described in Exhibit A of this resolution; and

WHEREAS, residential uses are allowed in the C-2 District with a conditional use permit; and

WHEREAS, City Staff has completed a review of the application they have determined that the proposed residential use with an in-home daycare licensed by the State of Minnesota is compatible with adjoining uses; and

WHEREAS, City Staff 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 May 2, 2022, following proper notice, held a public hearing regarding the Applicant's request; and

WHEREAS, following the public hearing, the Planning Commission recommended that the City Council approve the Applicant's conditional use permit request based on the following written findings:

- 1. The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.**

Expanded Finding: The proposed single-family residential use and in-home daycare licensed by the state will not be detrimental to the public health, safety, and comfort of residents in the area.

- 2. The conditional use will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.**

Expanded Finding: The proposed use of the property specified in this application will not injure other property, nor will it impede orderly development in the area.

- 3. The conditional use will be designed, constructed, operated, and maintained in a manner that is compatible in appearance with the existing or intended character of the surrounding area.**

Expanded Finding: The uses proposed with this application will not require changes in the appearance and character of the existing building.

- 4. The conditional use will not impose hazards or disturbing influences on neighboring properties.**

Expanded Finding: The proposed use of the property as a single-family dwelling with an in-home daycare will not impose hazards or disturbing influences on neighboring properties.

- 5. The conditional use will not substantially diminish the value of neighboring properties.**

Expanded Finding: The proposed uses will likely improve the value of the subject site and therefore will not diminish neighboring property values.

- 6. The site is served adequately by essential public facilities and services, including utilities, access roads, drainage, police and fire protection, and schools or will be served adequately as a result of improvements proposed as part of the conditional use.**

Expanded Finding: Public sewer, water, and all other applicable municipal services serve the subject property.

- 7. Development and operation of the conditional use will not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

Expanded Finding: The proposed use of the property will not create new demands for facilities and services at public cost.

- 8. Adequate measures have been or will be taken to minimize traffic congestion in the public streets and to provide for adequate on-site circulation of traffic.**

Expanded Finding: The proposed use will not affect traffic congestion in the public streets.

- 9. The conditional use will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance to the community.**

Expanded Finding: The proposed use will be constructed within the existing residence at the site and will not result in building expansion. The proposed use will not adversely affect any feature of importance to the community.

- 10. The conditional use is consistent with the applicable policies and recommendations of the City's Land Use Plan or other adopted land use studies.**

Expanded Finding: The City's Land Use Plan guides the subject property for mixed commercial and residential uses consistent

with the application in this case. The application if approved will not adversely affect Faribault's natural resources.

11. The conditional use, in all other respects, conforms to the applicable regulations of the district in which it is located.

Expanded Finding: The proposed conditional use permit is consistent with setback and other City Code requirements for this district.

WHEREAS, the City Council held a public meeting on May 10, 2022, during which it considered the Applicant's conditional use permit request; and

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

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

Section 1: Approval of a Conditional Use Permit. The City Council hereby approves the Applicant's conditional use permit request for a single-family residence with an in-home daycare licensed by the State of Minnesota to located in an existing home on site at 930 1st Street NE.

Section 2: Conditions Attached to the Approval of the Conditional Use Permit. The conditional use permit includes the following conditions:

1. Complete remodeling in the building according to Building Code Requirements necessary for occupancy as a residence and in-home daycare center.
2. Before beginning any further construction on the property, the owner must obtain all required building permits, grading permits, and other applicable permits.
3. This conditional use permit will automatically be voided if the proposed uses have not taken place within one (1) year of the approval of the conditional use permit unless the City Council has granted a petition for a time extension. The Owner must submit a written request for

extension at least thirty (30) days before the expiration of the conditional use permit and must state facts showing a good faith effort to complete work permitted under the original approval.

4. The owner must maintain the property in good condition including but not limited to all paved surfaces required for driveways, siding materials and exterior paint, landscaping and daycare play equipment if any.

Section 3: Additional Conditions of Approval. This conditional use permit includes the following additional conditions:

1. Failure of the City to act on a violation of a condition, covenant, or term of this permit is not a waiver of such condition, covenant, or term, or any subsequent violation of the same or any other condition, covenant, or term.
2. The City may inspect the property at all reasonable times to ensure compliance with the conditions of this permit.
3. This permit is subject to the City's code requirements. The Owner must comply with all applicable federal, state, and local laws, rules, and ordinances and obtain other permissions and permits as may be required.
4. The violation of any terms or conditions of this permit, including but not limited to any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in revocation of the permit. The City must give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the permit revocation.
5. This permit and its conditions are binding on the parties and their successors and assigns. This permit runs with the property and does not affect the subsequent sale, lease, or change from current ownership. The Owner's obligations under this permit shall also be the obligations of any subsequent owners or assigns of the property.

6. Use of the property as allowed by this permit signifies the agreement of the permit's terms and conditions without qualification, limitation, or reservation.

Section 4. Findings and Incorporation of Recitals and Exhibits. Where applicable, the recitals and exhibits incorporated in this resolution constitute the written findings of the City Council, all of which protect the public's health, safety, and welfare.

Section 5. Authorization to take Additional Steps. The City Council authorizes the Mayor, City Administrator, City Staff, and the City's Consultants to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution.

Section 6. Effective Date. This resolution is effective immediately upon its passage and without publication.

Date Adopted: May 10, 2022

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

Exhibit A

Legal Description

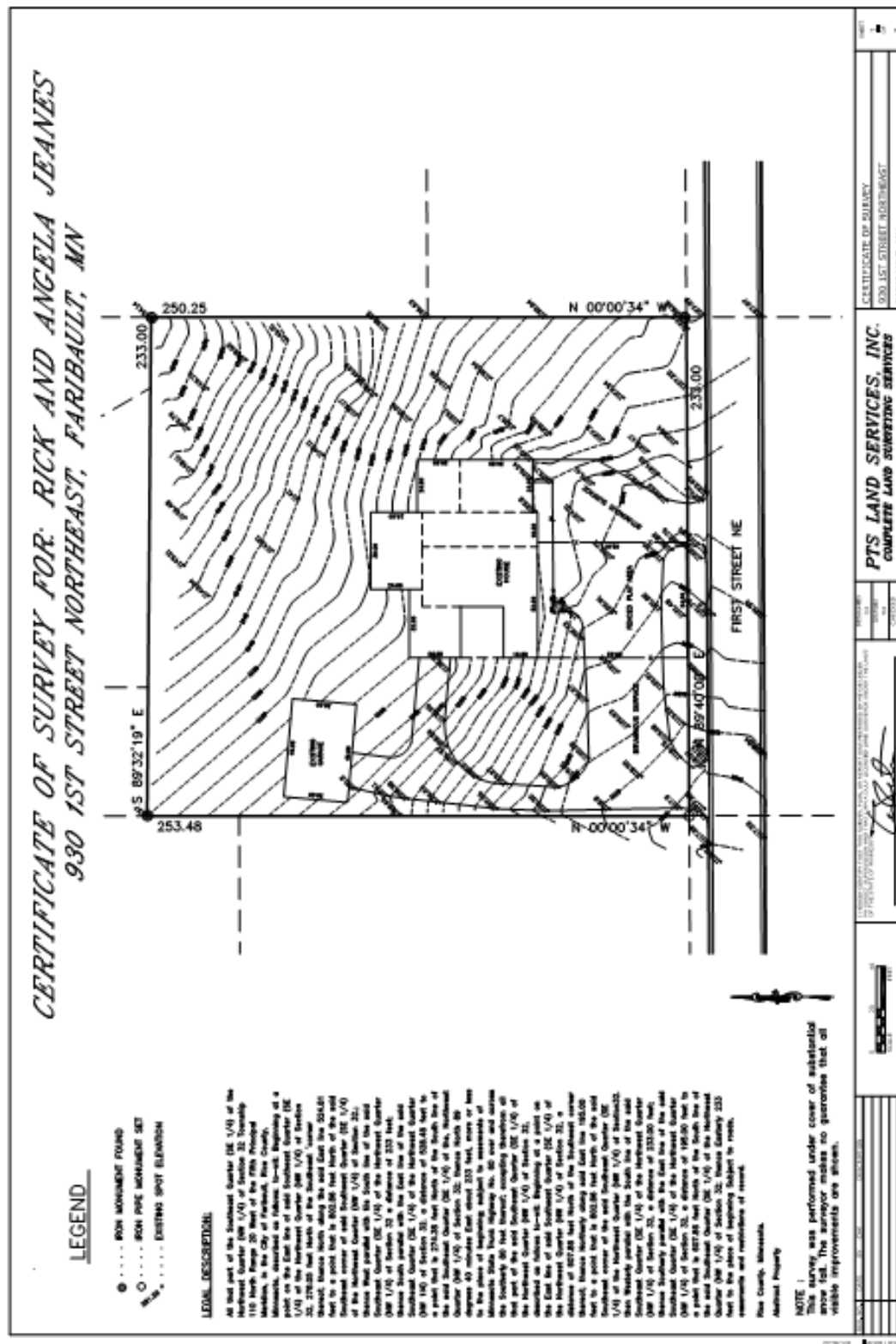
All that part of the Southeast Quarter of the Northwest Quarter of Section 32 Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows, to-wit: Beginning at a point on the East line of said Southeast Quarter of the Northwest Quarter of Section 32, 278.05 feet North of the Southeast corner thereof; thence North along the said East line 524.81 feet to a point that is 802.86 feet North of the said Southeast corner of said Southeast Quarter of the Northwest Quarter of Section 32; thence West parallel with the South line of the said Southeast Quarter of the Northwest Quarter of Section 32, a distance of 233 feet; thence South parallel with the East line of the said Southeast Quarter of the Northwest Quarter of Section 32, a distance of 528.48 feet to a point that is 274.38 feet North of the South line of the said Southeast Quarter of the Northwest Quarter of Section 32; thence North 89 degrees 40 minutes East about 233 feet, more or less to the place of beginning; excepting therefrom all that part of the said Southeast Quarter of the Northwest Quarter of Section 32, described as follows to-wit: Beginning at a point on the East line of said Southeast Quarter of the Northwest Quarter of Section 32, a distance of 607 .86 feet North of the Southeast corner thereof; thence Northerly along the said East line 195.00 feet to a point that is 802.86 feet North of the said Southeast corner of the said Southeast Quarter of the Northwest Quarter of Section 32, thence Westerly parallel with the South line of the said Southeast Quarter of the Northwest Quarter of Section 32, a distance of 233.00 feet; thence Southerly parallel with the East line of the said Southeast Quarter of the Northwest Quarter of Section 32, a distance of 195.00 feet to a point that is 607 .86 feet North of the South line of the said Southeast Quarter of the Northwest Quarter of Section 32; thence Easterly 233 feet to the place of beginning.

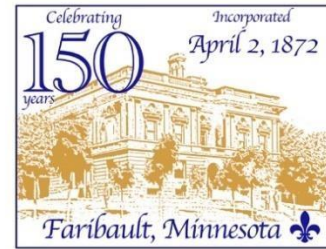
PID # 18-32-2-75-006

Address: 930 1st St. NE, Faribault, MN 55021

Exhibit B

Certificate of Survey





Staff Report

TO: Planning Commission
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: May 2, 2022
SUBJECT: Conditional Use Permit Application for a Single-Family Use in a C-2 Highway Commercial District at 930 1st St NE

BACKGROUND / PROJECT SUMMARY

Richard and Angela Jeanes have purchased the former small engine repair shop at 930 1st Street NE. The site is currently zoned C-2 Highway Commercial District. The property has a single-family dwelling with the former repair shop in the lower level. The previous occupant had lived on premise and operated a business there as well, but a Conditional Use Permit (CUP) now required for residential uses in this district had not previously been issued by the City for this site.

Mr. and Mrs. Jeanes are seeking a CUP for Single Family use in the C-2. As part of the residential use they plan to operate a licensed home daycare at the site. They operate an in-home Daycare Center and are seeking to convert the former shop area for daycare use.

They are not proposing any other improvements to the building. They are planning on fencing a portion of the yard for an outdoor play area for the children at the daycare center. It is my understanding that they will be licensed for about 15 children at this Center.

The UDO allows residential uses in the C-2 District with a CUP. The Planning staff do not object to this application and use of the property. The proposal will allow future commercial use of the property or commercial redevelopment of the property without rezoning.

Surrounding uses include an approved (but as yet unbuilt) townhome site to the west, also zoned C-2 District (on the former Mayo Clinic site), single family homes with R-1 Single Family District zoning to the north and east,

R-2, Low Density Residential District uses to the south (across Hwy 60 E).



Project Summary:

Zoning District. The property is zoned C-2, Highway Commercial District.

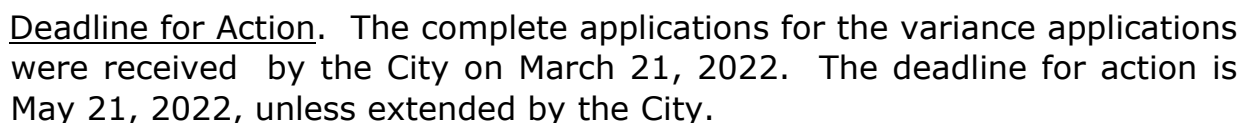
A conditional use permit (CUP) is required in this district for residential uses. The applicants are seeking approval of a single-family residence with a licensed in-home daycare at the location.

Comprehensive Plan. The property is guided by the 2040 Comprehensive Plan for commercial / residential mixed uses. The application fits within the guided uses specified in the plan.



Guided for Commercial Residential Mixed Uses

Development Plan. The property owners do not propose any changes to the site plan. The driveways and two garages will remain as is. In-home daycares do not require off street parking (other than the driveway and garage spaces). They have an approved front yard fenced area for out door play space for the children cared for onsite.



Development Review Comments:

The Development Review Committee (DRC) discussed the application in this at a work session meeting held April 19, 2022. The DRC did not object to the approval of the variance applications at the site. The DRC comments were as follows:

1. The CUP application will allow this C-2 District site to be used as a single-family home including the in-home daycare.
2. No improvements not required for a single-family home will be needed in this case (i.e. no commercial parking lot, no pavement striping etc.)
3. Ordinary maintenance as required for all homes under City ordinances will be provided.
4. The proposed use should be of less impact than the small engine repair business that was the last user of the site.
5. No variances are requested in this case.

Recommendation:

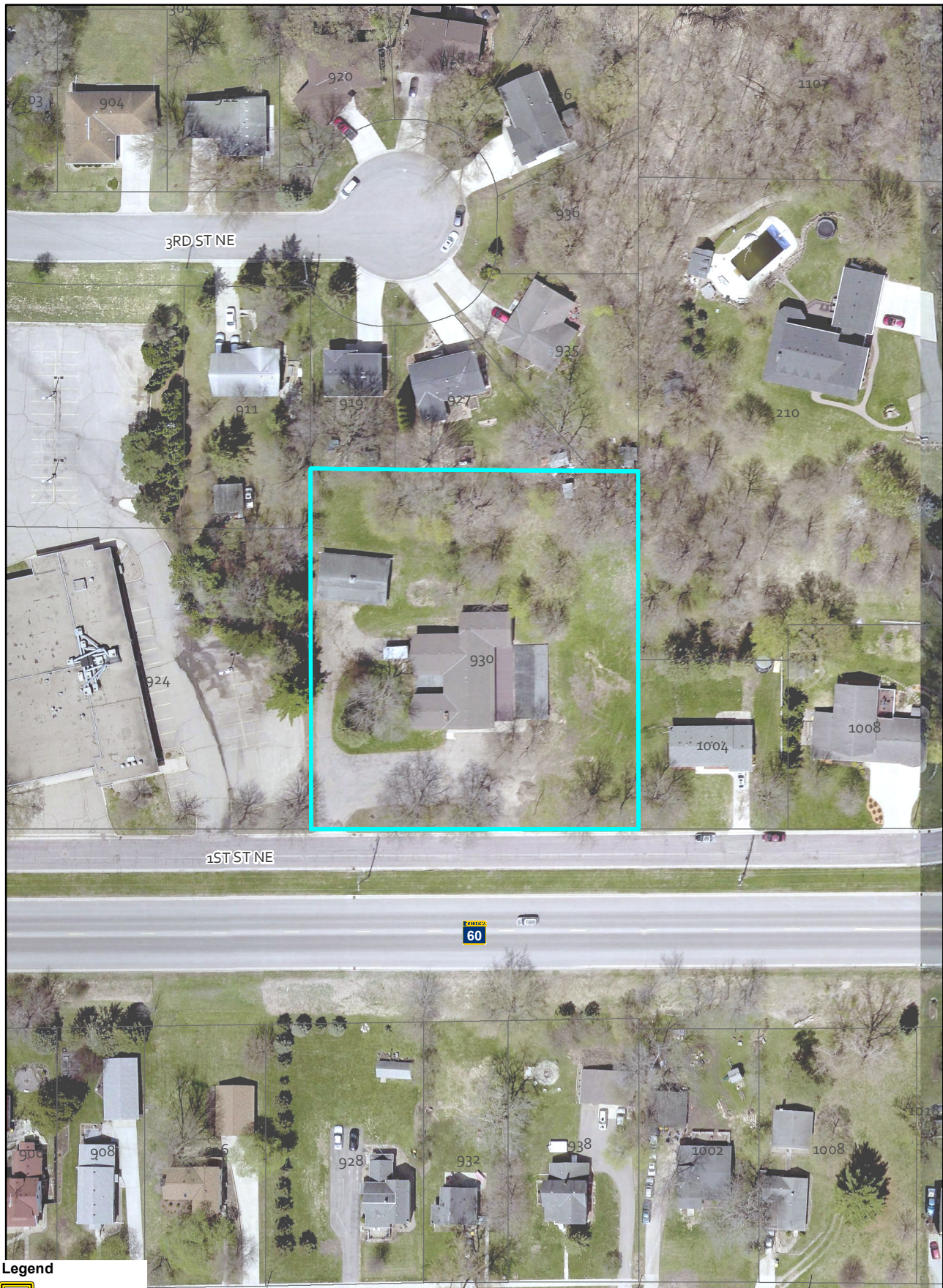
Recommendation for approval of the CUP as requested for Single Family use with an in-home daycare in the C-2 District, at 930 1st Street NE subject to the following Conditions.

1. Complete Building Code Requirements necessary for occupancy of the building as a residence and in-home daycare center.
2. Maintain paved driveway surfaces in good condition.

Attachments:

- Application
- Certificate of Survey
- Maps

930 1st St NE



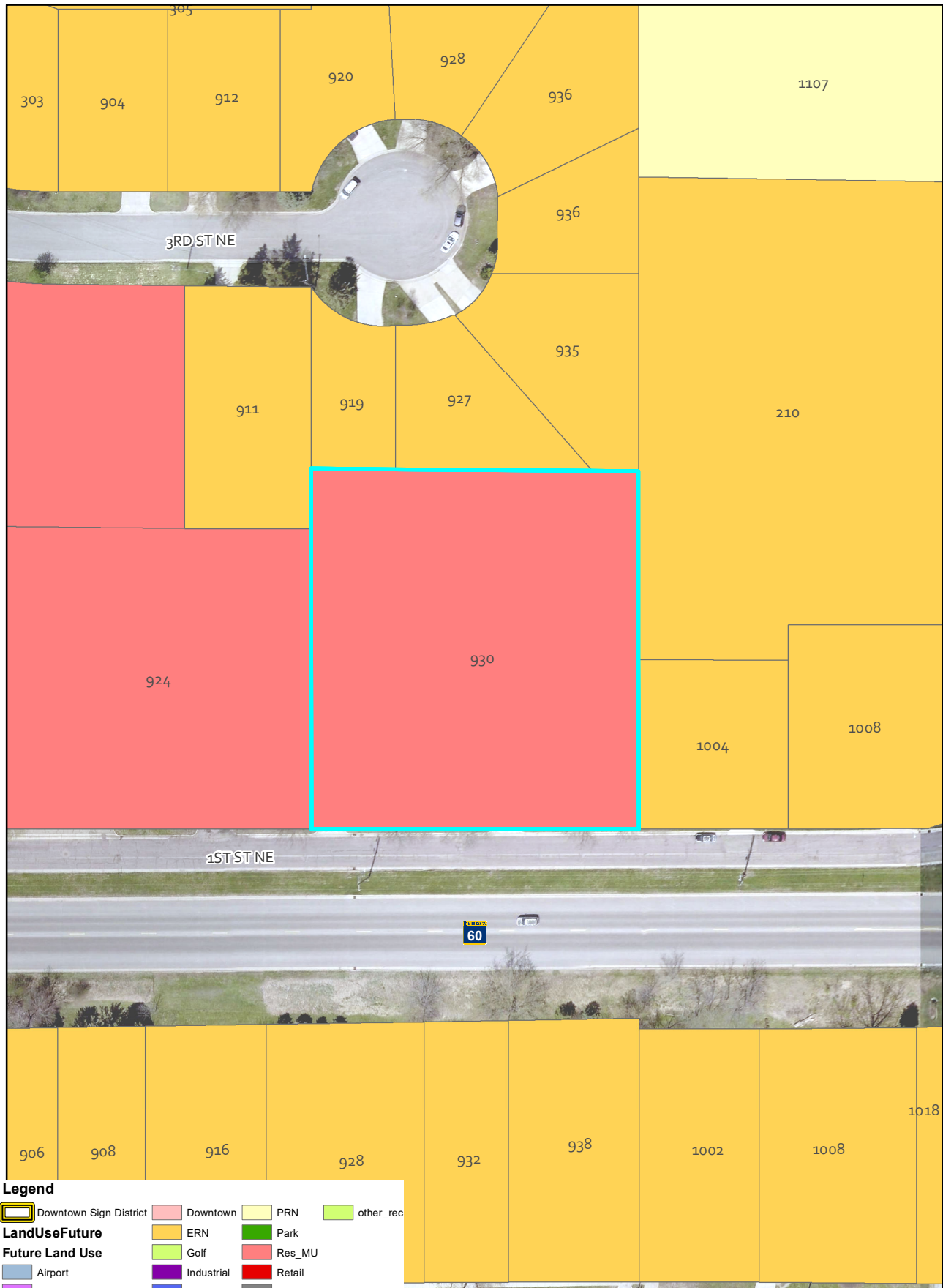
Legend

 Downtown Sign District



Comprehensive Plan

930 1st St NE

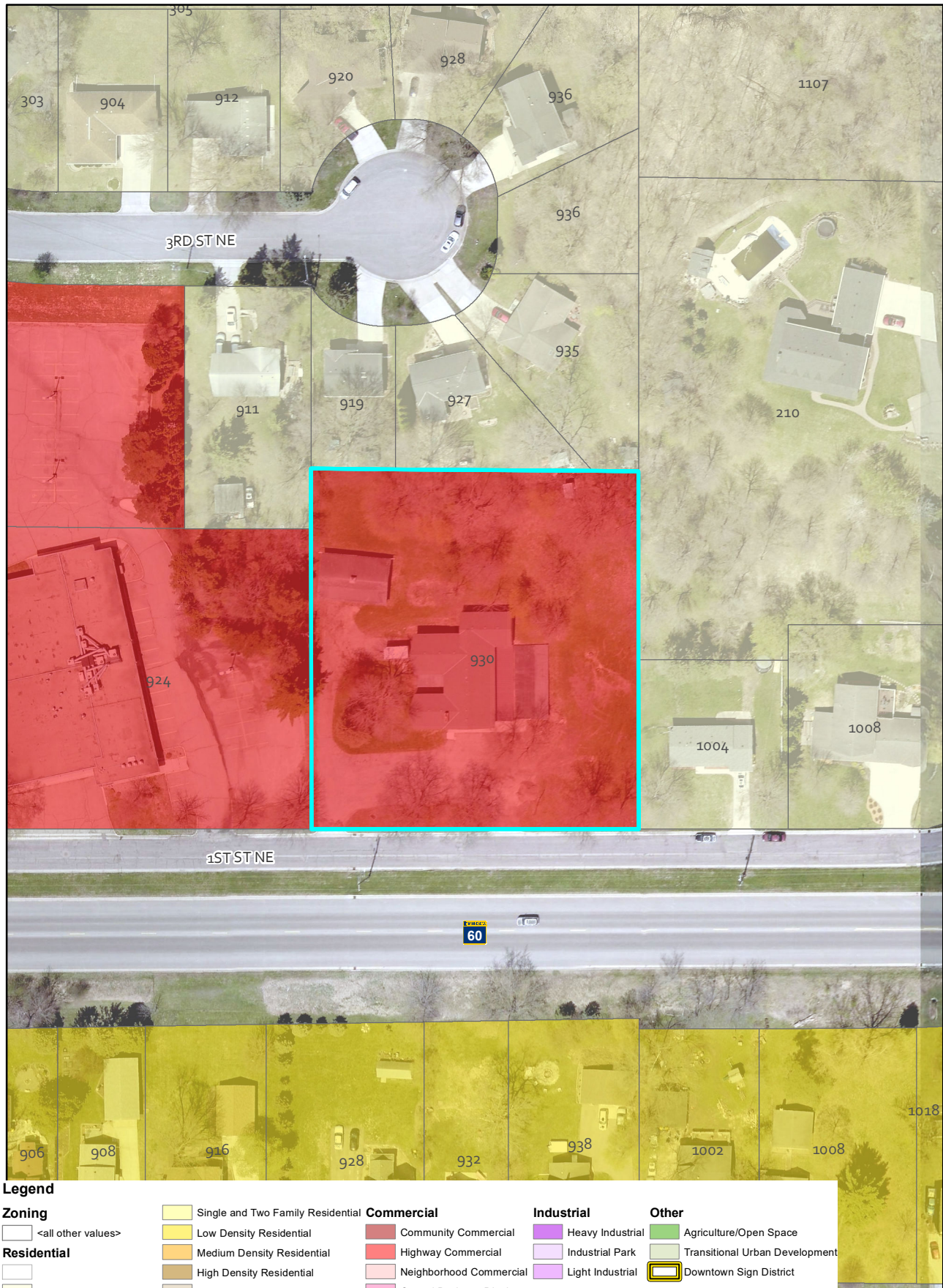


Legend

Downtown Sign District	Downtown	PRN	other_rec
LandUseFuture	ERN	Park	
Future Land Use	Golf	Res_MU	
Airport	Industrial	Retail	
Com_In_MU	Inst	Utility	

Zoning Map

930 1st St NE





City of
Faribault



APPLICATION FOR REQUESTED ACTION
Conditional Use Permit

Planning Case # _____
Filing Fee _____
Hearing Date _____

SITE ADDRESS 930 1st St NE Faribault
APPLICANT Richard & Angela James E-MAIL angelmarie0501@yahoo.com
PHONE 507 2102727 (H) 507 8381706 (W) _____ (FAX) _____
ADDRESS same
DEVELOPER (if other than applicant) _____
PHONE _____ (H) _____ (W) _____ (FAX) _____
ADDRESS _____
LEGAL DESCRIPTION see attached Certificate of Survey
ACREAGE/SIZE OF PROPERTY 1 acre +
CURRENT ZONING C2
EXISTING USE OF PROPERTY Implement Sales
PROPOSED USE OF PROPERTY single family home with inhome daycare
(Including number of units per acre and types of uses if mixed use)
IDENTIFY ALL ADJACENT LAND USES all residential
SIGNATURE OF OWNER Angela James DATE 3/21/22
SIGNATURE OF APPLICANT Angela James DATE 3/21/22
(Must submit proof of property control)

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

August 24, 2021

CERTIFICATE OF SURVEY FOR: RICK AND ANGELA JEANES **930 1ST STREET NORTHEAST, FARIBAULT, MN**

LEGEND

- IRON MONUMENT FOUND
- IRON PIPE MONUMENT SET
- 201.26 * EXISTING SPOT ELEVATION

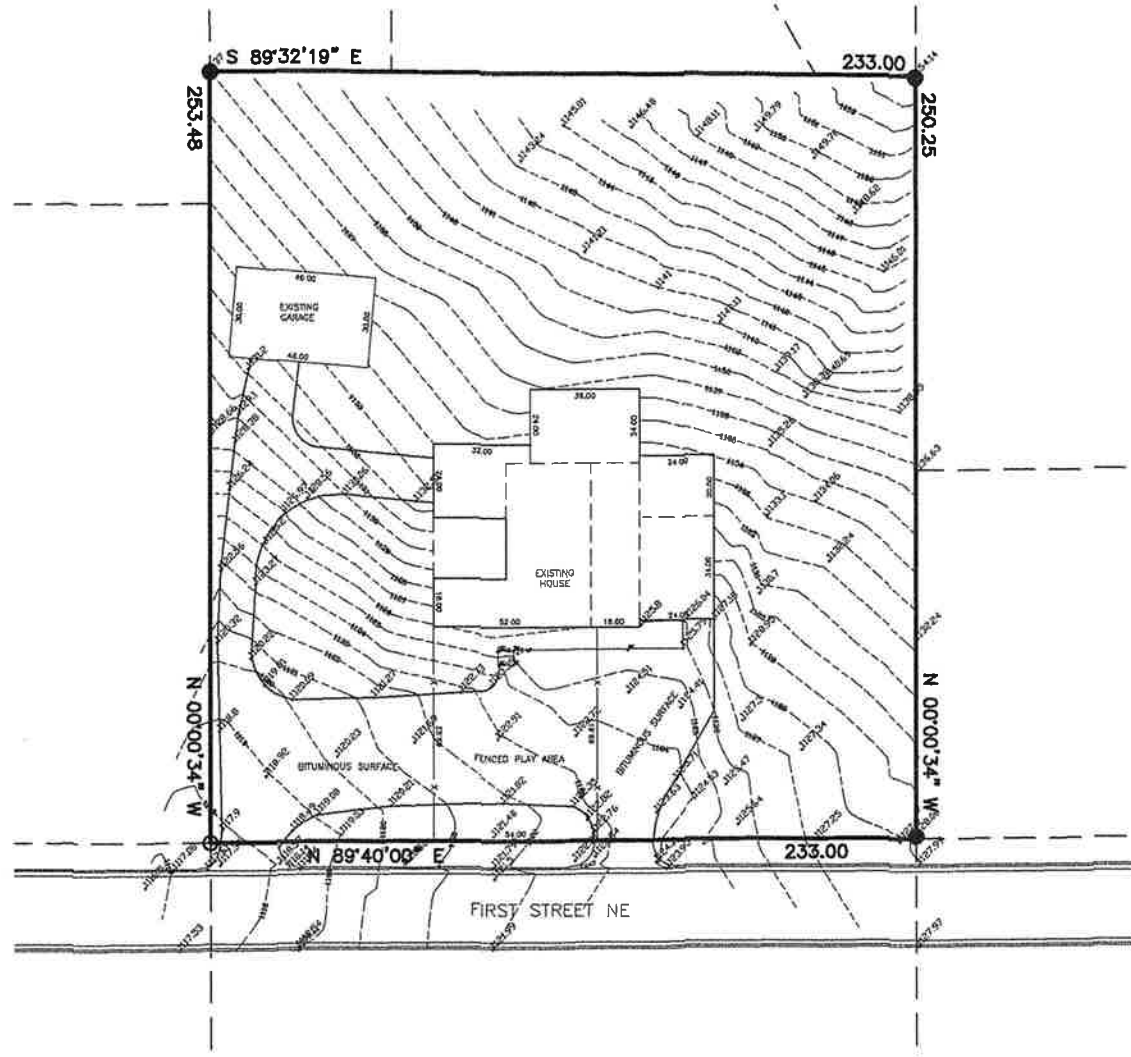
LEGAL DESCRIPTION:

All that part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32 Township 110 North Range 20 West of the Fifth Principal Meridian, in the City of Faribault, Rice County, Minnesota, described as follows: to-wit: Beginning at a point on the East line of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, 278.05 feet North of the Southeast corner thereof; thence North along the said East line 524.81 feet to a point that is 802.85 feet North of the said Southeast corner of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32.; thence West parallel with the South line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32 a distance of 233 feet; thence South parallel with the East line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32 a distance of 528.48 feet to a point that is 274.38 feet North of the South line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence North 89 degrees 40 minutes East about 233 feet, more or less to the place of beginning; subject to easements of Minnesota State Trunk Highway No. 60 over and across the Southerly 80 feet thereof; excepting therefrom all that part of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, described as follows to-wit: Beginning at a point on the East line of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, a distance of 607.86 feet North of the Southeast corner thereof; thence Northerly along said East line 195.00 feet to a point that is 802.86 feet North of the said Southeast corner of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; then Westerly parallel with the South line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, a distance of 233.00 feet; thence Southerly parallel with the East line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, a distance of 185.00 feet to a point that is 607.86 feet North of the South line of the said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence Easterly 233 feet to the place of beginning Subject to roads, easements and restrictions of record.

Rice County, Minnesota.

Abstract Property

NOTE :
 This survey was performed under cover of substantial snow fall. The surveyor makes no guarantee that all visible improvements are shown.



PLOT DATE: 01-16-22

REV.	DATE	BY	CHK	DESCRIPTION



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

[Signature]

Surveyed by: *[Signature]* Date: 01-16-22

DESIGNED
 BY
 DRAWN
 BY
 CHECKED
 BY

PTS LAND SERVICES, INC.
 COMPLETE LAND SURVEYING SERVICES

CERTIFICATE OF SURVEY
 930 1ST STREET NORTHEAST
 FARIBAULT, MN

SHEET
 1
 OF
 1

CONDITIONAL USE PERMIT
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
- ☒ Present and proposed topography of the site and adjacent areas within 50 feet by contour lines at an interval of not more than 5 feet, and by use of directional arrows, the proposed flow of storm water runoff from the site
- ☒ Location of existing and proposed structures (height and gross floor area noted), with distance from property lines noted
- ☒ Location and dimensions of existing and proposed off-street parking and loading spaces, curb cuts, aisles, and walkways, with distance from property lines noted
- ☒ Location, height, and material for screening walls and fences
- ☒ Type of surfacing and base course proposed for all parking area, loading areas, and walkways
- ☒ Location of all existing and proposed water lines, hydrants, sanitary sewer lines and storm drainage systems
- ☒ Existing and proposed public streets or rights-of-way, easements, or other reservations of land on the site
- ☒ Location and method of screening of outdoor trash storage areas
- ☒ Location and size of all proposed signage
- ☒ Location and height of proposed lighting facilities
- ☒ Elevation views of all proposed buildings or structures, with building materials and proposed colors noted
- ☒ Indicate the ultimate development of the site and proposed development phases when a site is to be developed in stages
- ☒ Landscaping plan

◆ **Required supplemental information**

- ☐ Describe the project in detail (Include: Size of all structures existing and proposed and any modifications to existing, type of business and associated storage/display, type of clientele, hours of operation, number of employees, number of customer seats if food service related, handling of deliveries, unique site characteristics, proposed modifications to topography and/or drainage, development schedule, etc.)
- ☐ Written summary explaining how the proposed use is compatible with the neighborhood
- ☐ Written summary explaining if and how the proposed development will impact traffic
- ☐ Written statement as to why you feel the conditional use permit should be approved
- ☐ Other information as required

◆ **Filing fee: \$300 for all uses (2021 fee schedule).**

SIGNATURE OF APPLICANT _____

DATE _____

Planning case # _____

CERTIFICATE OF SURVEY FOR: RICK AND ANGELA JEANES
930 1ST STREET NORTHEAST, FARIBAULT, MN

LEGEND

- IRON MONUMENT FOUND
○ IRON PIPE MONUMENT SET
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LEGAL DESCRIPTION:

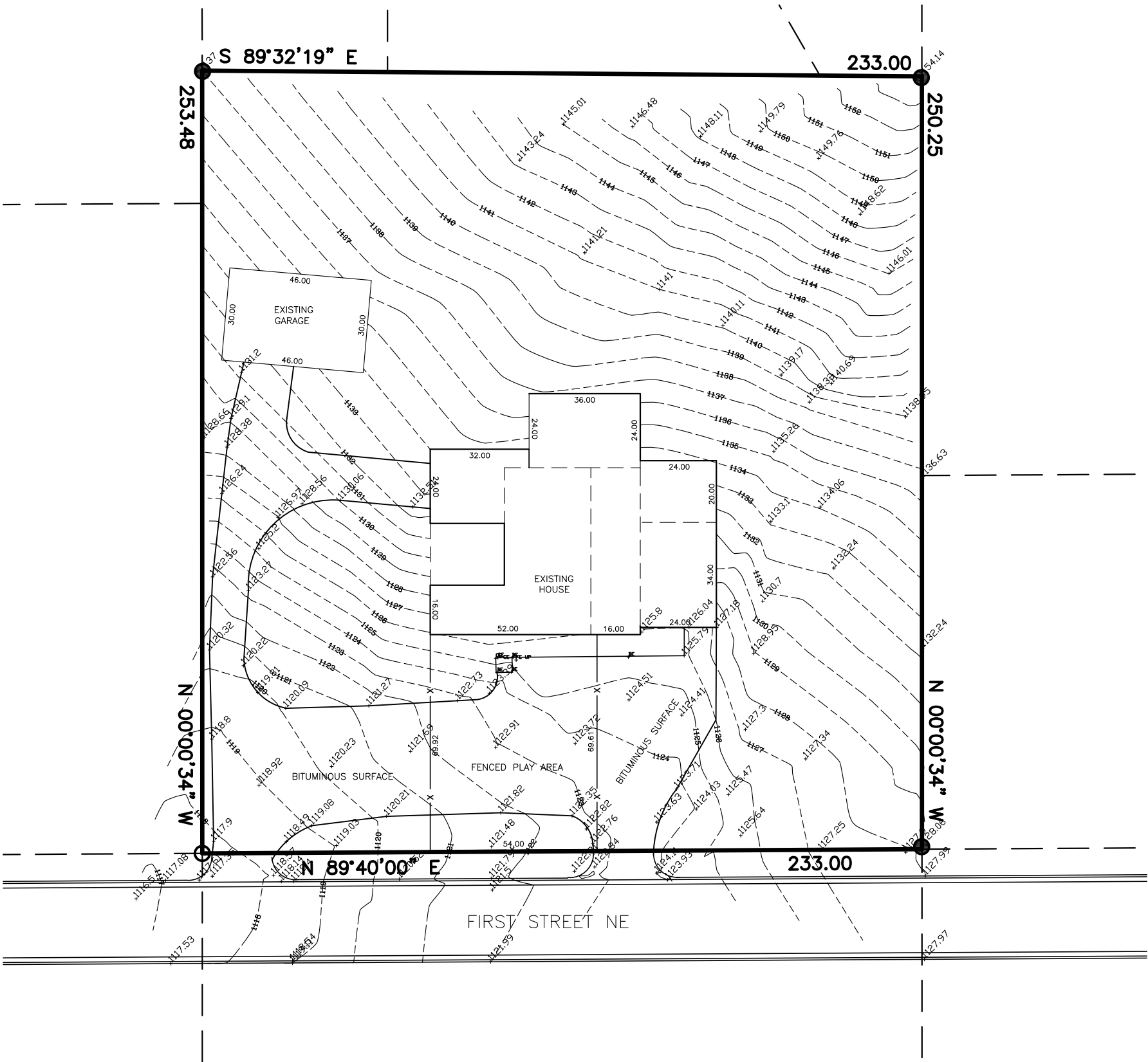
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Rice County, Minnesota.

Abstract Property

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PLOT DATE: 03-16-22

REV. NO.	DATE	BY	CHK	DESCRIPTION



I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

NAME Timothy S. Peterson LIC. NO. 45332 DATE 3-16-2022

DESIGNED TSP
DRAWN TSP
CHECKED TSP

PTS LAND SERVICES, INC.
COMPLETE LAND SURVEYING SERVICES

CERTIFICATE OF SURVEY
930 1ST STREET NORTHEAST
FARIBAULT, MN

SHEET
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OF
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