



## PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, JUNE 15, 2026

6:00 PM

1. Call to Order
2. Approve Agenda
3. Approval of the Minutes
4. Public Hearings
  - A. Faribault Townhomes/924 1st St NE - Preliminary and Final Plat; Conditional Use Permit; Variance; CIC Plat
    - 1 Resolution 2026-XXX Approve the Preliminary and Final Plats for Faribault Townhomes
    - 2 Resolution 2026-XXX Approve CUP for Multi-Family Use in C-2, Highway Commercial District at 921 1st St NE
    - 3 Resolution 2026-XXX Approve Variance for Faribault Townhomes
    - 4 Resolution 2026-XXX Approve CIC Plat #104 for Faribault Townhomes
5. Requests to be Heard
6. Items for Discussion
7. Routine Business
8. Updates & Reports
9. Adjournment

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

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a [accessibility@faribault.org](mailto:accessibility@faribault.org).

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga [accessibility@faribault.org](mailto:accessibility@faribault.org).

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## PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

MONDAY, JUNE 1, 2026

6:00 PM

### Meeting Items

1. Call to Order

A regular meeting of the Planning Commission was called to order at 6:00 p.m. by Chair Barton Jackson. Members present were Chuck Ackman, Ed Miglio, Michael Salt, Emily Shaw, and Chair Barton Jackson. Staff present included Harry Davis, City Planning Manager; David Wanberg, Director of Community and Economic Development; and Kari Casper, Administrative Assistant II. A motion was made by Ed Miglio, seconded by Michael Salt to call the meeting to order. No vote was taken at this time.

2. Approve Agenda

A motion was made by Ed Miglio, seconded by Michael Salt to approve the agenda as presented. The motion carried on a 6/0 vote.

3. Approval of the Minutes

A motion was made by Samantha Green, seconded by Chuck Ackman to approve the meeting minutes as presented. The motion carried on a 6/0 vote.

4. Public Hearings

A. Faribault Townhomes/924 1st St NE - Conditional Use Permit; Preliminary Plat; Final Plat; Variances

Harry Davis, City Planning Manager, started out by stating that the applicant would like to have this matter continued to the next meeting to allow them time to put together the CIC Plat. After some discussion on whether to open a public hearing, a motion was made by Chuck Ackman to move this public hearing and discussion to the next meeting. The motion carried on a 6/0 vote.

5. Items for Discussion

A. Resolution 2026-01 Modify Faribault's Tax Increment Development District No. 1 and Establish District No. 21

Harry Davis said that the city attorney recommended that we do this to ensure that the TIF districts align with the comprehensive plan by modifying TIF District 1 and adding or establishing TIF District 21. Chuck Ackman said that he cannot do this without getting answers to a lot of questions. Wanberg then stated that the Planning Commission did go through this in 2024, outlining several TIF districts. Michael Salt brought a motion to approve. No one seconded the motion and that motion failed. Ackman stated that he

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has not reviewed anything as the resolution states. Wanberg went over what was in front of them, and they were anticipating that this matter would go before the council on June 9th. Ackman asked that if this came back before them again, they would need a lot more information. Motion by Ackman, seconded by Michael Salt to approve Resolution 2026-01 Modify Faribault Tax Increment Development District No. 1 and Establish District No. 21 as presented. The motion passed on a 6/0 vote.

6. Commission Updates

None.

7. Adjournment

A motion to adjourn the meeting was made by Ed Miglio, seconded by Michael Salt at 6:24 p.m. The motion passed unanimously.

By: \_\_\_\_\_



**Staff Report to the Planning Commission**

**TO:** Planning Commission  
**THROUGH:** David Wanberg, CED Director  
**FROM:** Leslie McGillivray-Rivas, Planner I  
 Mark DuChene, Director of Engineering  
**MEETING DATE:** June 15, 2026  
**SUBJECT:** Faribault Townhomes – 924 1<sup>st</sup> St NE (PID 18.32.2.75.005) and (PID 18.32.2.77.017).

<b>Request:</b>	Applicant requests approval of preliminary and final plat, conditional use permit (CUP), variances, and common interest community (CIC) plat for a 37-unit townhome development.
<b>Recommendation:</b>	The DRC and City Planning Manager recommend Planning Commission forward the request to City Council with a recommendation of approval based on the findings in the attached draft resolutions.
<b>Recommended Motion:</b>	Motion to forward and recommend approval of the requests to City Council, allowing the 37-unit townhome development, with criteria and findings as outlined in the associated resolutions.

**Request and Background:**

Dan Gatchell (the “Applicant”) on behalf of ThinkBiz LLC (the “Property Owner”) requests approval of preliminary and final plats, a conditional use permit (CUP), variances, and a common interest community (CIC) plat for a 37-unit townhome development.

The subject property is located in the NW ¼ of Section 32 Township 110, Range 20W whose parent parcels are Lots 3-5, Block 1 Erblang’s Addition and an unplatted metes and bounds parcel. The site is adjacent R-2 low density residential to the north, west and northeast, 1<sup>st</sup> Street NE and Trunk Highway 60 to the south and C-2 highway commercial to the southeast. This is the site of the former Faribault Branch of the Mayo Clinic which closed in 2017.

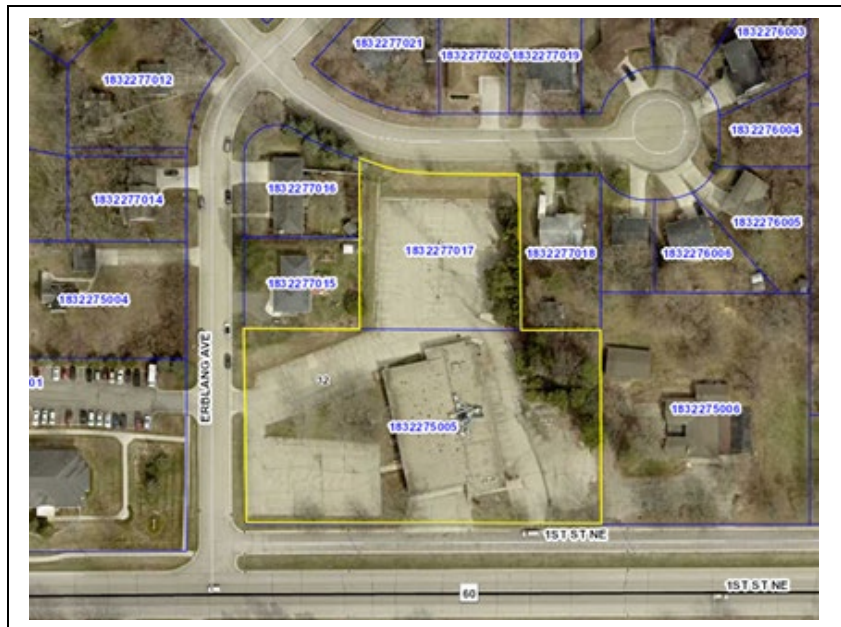


Figure 1 Existing Parcels and neighborhood context

### History of the Redevelopment proposals:

Since the closing of the Mayo Clinic branch in 2017, developers have expressed interest in residential development of this site. Developers have presented residential development proposals to the community through public engagement in advance of formal applications. Those projects include:

- A four (4) Story 89-unit apartment building
- A three (3) Story 78-unit apartment building with underground parking
- A 34-unit, across 6 buildings, residential townhome community

The 34-unit residential townhome community applications were submitted to the city and received approval in 2021. Despite having the ability move the project to construction, the developer of the project allowed the approval to expire at the end of one year. In 2025, the vacant building on the site was demolished, the site partially restored with the exception of the parking lot on the northern parcel, preparing it for redevelopment.

The current development applicant approached City Staff about redeveloping the property in 2025. Given the need for additional housing in Faribault, Community and Economic Development staff identified the site for potential residential development.

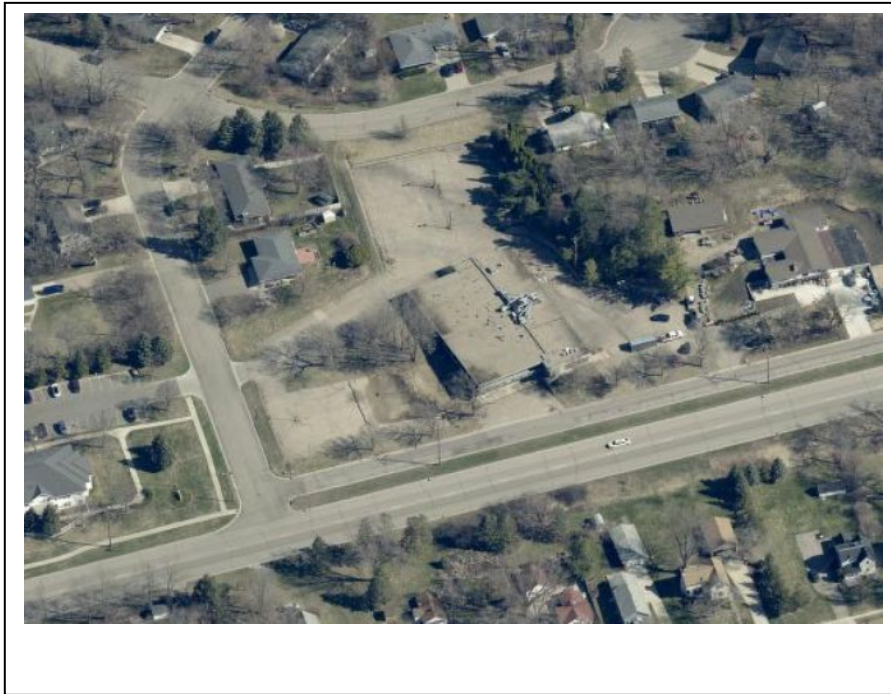


Figure 1 Existing Parcels and neighborhood context

### **Project Description:**

The Applicant proposes a 37-unit market rate rental townhome community within 6 multi-family buildings. Each building footprint has a unique approach to a unit mix with 2- or 3-bedroom units, attached garages with exterior driveway parking surfaces. Within the 37-unit mix are 18 two-bedroom units (averaging between 1,160-1,318 square feet) and 19 three-bedroom units (averaging between 1,522-1,733 square feet). Visitor parking is proposed to be near the western entrance to the private drive.

Operationally, the applicant proposes to retain the property and will maintain the common areas such as landscaping, snow removal and building maintenance. The plan proposes the creation of a single internal private street. Tenants will access the units facing the internal private street from the existing public streets of Erblang Avenue or 3rd Street NE. Units facing 1st Street NE will be accessed from that public road.

To facilitate the project, the applicant seeks to combine the parcels by way of the preliminary and final plat process. A conditional use permit is necessary to support multifamily residential development of the lot zoned C-2, Highway Commercial. A variance request accompanies the application to request relief from the side street side yard setbacks and front yard setbacks in a modest area of the site in the southwest corner of the property.



Figure 4 Elevated View to the East



Figure 5 Elevated View Figure 5 Site Plan  
to the Northeast

Additionally, the applicant has provided an application for a common interest community-final plat (CIC) which will serve to define the area of each residential unit and driveway access but also provide residents with an understanding of their ability to utilize the balance of the site in a shared manner. The CIC application is required to have in contractual form, covenants for all related matters of the common property area. This includes but is not limited to property maintenance, the rights and responsibilities of the management of the property owner(s) and those occupying each dwelling unit, etc.

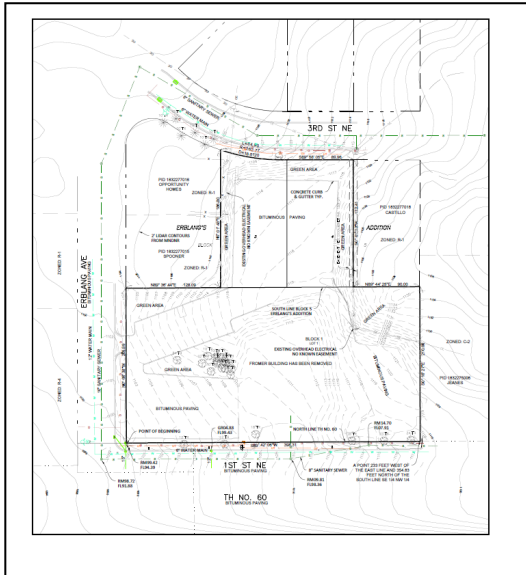


Figure 3 Preliminary Plat

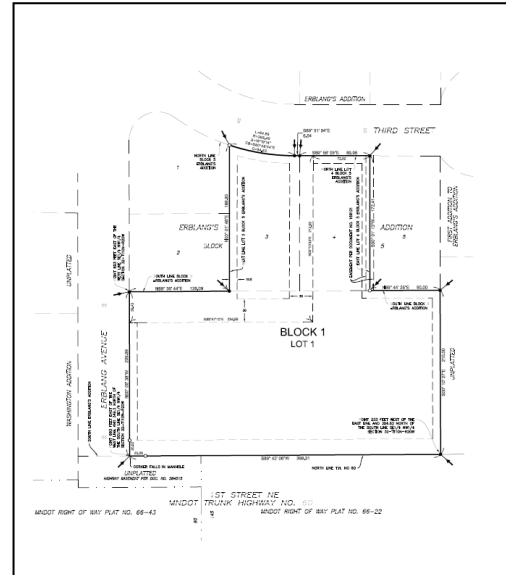


Figure 4 Final Plat

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. Developer shall submit a digital copy of the final plat in an AutoCAD format to the City Engineer.

The proposed development will be completed by:

Owner: ThinkBiz LLC

Surveyor: Jones Haugh Smith

The area within the plat includes only Lot 1, Block 1 of Faribault Townhomes, being 2.83 acres.

## **Discussion:**

The proposed preliminary and final plats, CUP, variances and Common Interest Community plat are consistent with the planning and zoning aspects of the City's Unified Development Ordinance. The following provides an overview of the key planning and zoning-related items associated with:

### Preliminary Plat Summary

1. Existing and Surrounding Conditions: The subject property includes two platted lots on 3<sup>rd</sup> Street NE (previously combined into one tax lot, which the former medical clinic used as a parking lot) and an unplatted parcel at the corner of Erblang Avenue and 1<sup>st</sup> Street NE. The proposed plat will result in a single platted lot (Lot 1, Block 1, FARIBAULT TOWNHOMES). The platted lot will resolve nonconforming issues associated with existing development crossing existing parcel lines.
2. Relationship to the Journey to 2040 Comprehensive Plan: The Journey to 2040 Comprehensive Plan guides the subject property for commercial/residential mixed use. The proposed preliminary and final plat is consistent with the City's land use plan for this property.
3. Relationship to the Official Zoning Map. Faribault's Official Zoning Map identifies the subject property as C-2, Highway Commercial zoning district. The proposed preliminary plat is consistent with the uses and bulk regulations of the C-2 zoning district.
4. Natural Features and Trees. The subject property will impact the existing hillsides and tree cover due to placement of structures and grading activities. Site restoration of green infrastructure is being incorporated into the site.
5. Wetlands and Shoreland. There are no known wetlands or shorelands encumbering the site.
6. Street Layout

1st Street NE: The site is north of and adjacent to 1st Street NE, a 24-foot wide, undivided urban roadway and is striped as a two-lane section with no parking on either side of the street. 1st Street NE is within a 42-foot highway easement that was formerly part of the trunk highway system and subsequently released to the City.

Access driveways for sixteen (16) of the townhomes is proposed directly to 1st Street NE. It is recommended that the separation between the driveways should be at least six (6) feet between the

edges of the driveways to allow for vehicle doors to open and landscaping between driveways. It would be preferred that driveways for adjoining units be combined wherever practicable to allow a single curb to cut no greater than 32'. The curb and pavement shall be replaced as approved by the City Engineer.

The City's Trail and Sidewalk Improvement Plan identifies 1st Street NE for a future trail extension. At this time, the future trail is proposed to be placed on the south side of 1st Street NE within the trunk highway right of way. In case MnDOT does not issue a limited use permit for the future trail on the south side of 1st Street NE, the boulevards and driveways on the north side shall be graded to allow for construction of the trail on the north side.

3rd Street NE: The site is south of and adjacent to 3rd Street NE, as a 36-foot wide, undivided urban roadway and is striped as a two-lane section with no parking restrictions on either side of the street. 3rd Street NE is within a 66-foot highway easement. There is no sidewalk on 3rd Street NE and none are currently planned.

No direct access to any of the units is offered directly to 3rd Street NE. The private drive connection to 3<sup>rd</sup> Street NE shall be per the City's standard industrial/commercial driveway detail.

Private Drives: A private drive that bisects the property east-west and north-south on the northern portion of the property is proposed to serve the remaining twenty-one (21) townhomes from Erblang Avenue and 3<sup>rd</sup> Street NE. The private drive is proposed to be 24-foot wide within a 30-foot wide drainage and utility easement. It is recommended that the separation between the driveways should be at least six (6) feet between the edges of the driveways to allow for vehicle doors to open and landscaping between driveways. The private drives shall be centered in the easements and must be signed "No Parking" on both sides of the drives.

Parking: There will also be seven (7) perpendicular parking stalls on the south side of the private drive. These parking stalls shall be reviewed with the City's building official for compliance with ADA standards and codes. The private drive shall connect to Erblang Avenue with a commercial driveway entrance per the City's standard detail.

## 7. Drainage, Grading and Erosion Control

The development is located within the Southeast drainage district as identified in the City's 2004 Surface Water Management Plan. Stormwater runoff generated within the site currently is split into two primary drainage areas. The approximately north 1/3rds of the site drains overland to the north and into the 3rd Street NE roadway and storm sewer. The approximately southern 2/3rd of the site drains overland to the southwestern property corner and then to the Erblang Avenue storm sewer. Both of these storm sewers then flow west and discharge to the Straight River.

The proposed site improvements include the development/redevelopment of an estimated 1.55 acres of new impervious surface and will disturb more than 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 (MS4) permit must be incorporated into the final plans. Since the site is a redevelopment of an area greater than 1 acre and the existing land is greater than 15% impervious, the site development storm water management plan must meet the City's MS4 permit redevelopment criteria. The submitted plans indicated that runoff from the proposed final plat will be collected via storm sewer and discharged into a storm water management system consisting of a series of filtration basins. The storm water basins are then proposed to discharge to existing storm sewer in Erblang Avenue and then flow west and discharge to the Straight River.

Stormwater management facilities shall also be designed and constructed to limit the post development stormwater runoff rate to no more than the predevelopment stormwater runoff rate for the 2, 10 & 100 year 24-hour SCS Type II precipitation events as defined by the National Oceanic and Atmospheric Administration Atlas 14 precipitation frequency estimate for the Faribault Station Final storm sewer design and storm water management basin sizing shall be subject to the review and approval of the City Engineer.

Permanent storm water management facilities shall be constructed onsite and shall be considered private storm sewer improvements. The developer shall be responsible for long-term operations and maintenance of the storm water management facilities and shall be required to enter into a long-term stormwater maintenance and operations agreement.

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.

There are multiple retaining walls shown on the site including walls that exceed 4-ft in height. Retaining walls exceeding 4-ft in height must be designed by a professional engineer and permitted through the building official.

A final grading plan shall be submitted and subject to the review and approval of the City Engineer. 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.

## 8. Utilities

### *Sanitary Sewer*

The development is proposed to be served by public sanitary sewer facilities. A new 8-inch sanitary sewer will be constructed on the north side of 1st Street NE and be parallel to the existing 8-inch sanitary sewer in 1st Street NE. A new 8-inch sanitary sewer will also be constructed within the private access road and proposed drainage and utility easement to serve the central townhomes and will connect to the existing 8-inch sewer in 3<sup>rd</sup> Street NE with a new manhole.

The existing City-owned downstream facilities have sufficient capacity to serve the development. The Developer is responsible for all costs associated with sanitary sewer connections, adjustments to existing sanitary sewer structures and tracer wire installation according to City Standards.

Final utility locations and construction are subject to City of Faribault standards and must be approved by the City Engineer with final construction plans.

Lots within the proposed subdivision shall be charged the standard sewer access connection charges in conjunction with building permit submittals.

### *Watermain*

The development is proposed to be served by public watermain facilities. Eight-inch (8") watermain exist in 1st Street NE and 3rd Street NE. A new 6-inch watermain will also be constructed within the private access road and proposed drainage and utility easement to serve the central townhomes and will connect to the existing 12-inch watermain in Erblang Avenue and 6" watermain in 3<sup>rd</sup> Street NE. The Developer is responsible for all costs associated with watermain connections including water services, hydrants and valves and tracer wire installation according to City Standards.

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.

Lots within the proposed subdivision shall be charged the standard water access connection charges in conjunction with building permit submittals.

### *Lighting and Electrical Utilities*

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 companies 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 streetlights.

### *Storm Sewer*

The development includes the construction of a private storm sewer management system that will connect to the 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

8. Existing Easements

Easements identified as existing by the State of Minnesota for highway purposes, Northern States Power/Excel Energy presumably for existing overhead power lines on the east and west perimeters and the City of Faribault for sanitary sewer line maintenance noted on the title commitment are not shown. The plat shall show any and all existing easements as noted on the title commitment.

9. Proposed Easements

Perimeter public drainage and utility easements shall be shown on the preliminary and final plat per Sec 15-290 of the City Subdivision Regulations. The plat includes drainage and utility easements being a minimum of 10-ft in width when adjoining street lines and being a minimum of 5-ft in width when adjoining side lot lines and rear lot lines adjacent to existing platted land, unless there are public utilities with the easement area in which case the minimum total easement width shall be 20-ft or as determined by the City Engineer based on utility type and depth contained within the easement. The drainage and utility easement that cover the private drives shall be centered on the private drives and sized so that the proposed water shut off valves are either on the easement line or within the easement area. Final easement sizes and locations shall be subject to the review and approval of the City Engineer.

10. Required Information and Contents. The following information is missing:

- a. Confirm plat name is acceptable with the county surveyor.
- b. Amend Landowner information and include all people having property interest.
- c. Confirm that no private easements or deed restrictions are found or are to be resolved.

11. Required Supplemental Information- Provide soil survey.

12. Design Standards

The proposed plat complies with most of the required design standards.

13. Park Dedication

Under the UDO, Chapter 15, Article 7, the applicant is required to dedicate parkland or pay fees in lieu. The applicant shall be required to pay the fees in lieu at \$16,800 for multifamily units at \$500 for 20 units and \$400 for 17 units.

The applicant formally petitioned the Faribault Park Commission to waive the fee at their May 27, 2026 meeting. The response memo provided by the Park Commission is attached which recommends to the City Council that parkland dedication fees be provided by the applicant, denying the request for the waiver. The applicant wishes to forward their request directly to city council for their consideration.

14. Required Basic Improvements

The proposed plat complies with design standards for basic improvements.

15. Phasing and Development Schedule

Presuming the City Council approves the preliminary and final plat, and other associated approvals, the Applicant and City will enter into a Development Agreement that will address the details, responsibilities, and costs associated with the proposed subdivision. City staff anticipates development to be at the discretion of a future buyer or developer of the property.

Final Plat

The proposed final plat is consistent with the preliminary plat.

CUP Summary

The proposal meets the criteria for granting a CUP for Multi-Family in the Highway Commercial District. The proposal for attached townhomes with a mix of units within 6 building ranging from 4 dwelling units to 10 dwelling units under a common roof the definition of a multi-family development.

Variance Request Summary

The property is unique for its topography, configuration of the proposed exterior parcel boundaries, and balancing of the proposed site constraints with the project proposed infill development. The applicant's has requested to reduce the 25' setbacks of three townhomes buildings fronting the public right of way at the corner of Erblang and 1<sup>st</sup> St NE and along 1<sup>st</sup> St NE by roughly 5'. Staff finds the request meets the requirements of

Specific zoning standards requested relief from include the following:

Chapter 11. – Commercial District:  Table 11-2. Lot dimension and setback requirements in the commercial districts.	Corner Side Yard Setback  (Erblang Ave. NE)	25' required	+/- 20.33' Proposed	Reduction of 5'
	Front Yard Setback (1 <sup>st</sup> Street NE.)	25' required	+/- 20.01' Proposed	Reduction of 5'

CIC Plat Summary

City Staff supports the CIC plat as proposed. The development intends to add 37 new dwelling units within the 6 townhome buildings as noted in the preliminary plat requirements. The amount of \$16,800 will be payable at the time of recording.

Development Review Committee Recommendation

On April 21, 2026, the City's Development Review Committee (DRC) reviewed the proposed application and recommended approval.

Public Comment

The Development Team conducted a neighborhood information meeting to inform the residents of properties within 350' of the project boundaries on March 24, 2026. Planning staff received no public comment prior to publishing this report. Notification for the applications were published initially for the preliminary plat, final plat, CUP and variance on May 21, 2026. The CIC plat was published in the paper on May 28, 2026. Letters were sent to property owners within 350 feet corresponding to each publication date.

### MN DOT Comments

Staff have reached out to MN DOT for additional comments and are awaiting a response. Their comments and requirements will be incorporated.

### **Recommendation:**

The DRC and City Planning Manager recommend Planning Commission forward and recommend approval of all applications based on the criteria and findings, with conditions of approval in the draft resolution.

**CITY OF FARIBAULT**

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**RESOLUTION #2026-XXX**  
**APPROVE THE PRELIMINARY AND FINAL PLATS FOR**  
**FARIBAULT TOWNHOMES**

**WHEREAS**, Dan Gatchell, representing Rebound Real Estate LLC (the "Applicant"), on behalf of ThinkBiz LLC (the "Property Owner"), submitted a request for preliminary plat approval and final plat approval related to the subject property legally described in Exhibit A (Property); and

**WHEREAS**, the proposed preliminary plat and final plat include one previously platted property and one previously unplatted property, which are proposed to be combined into one lot, as graphically depicted in Exhibit B; and

**WHEREAS**, City Staff reviewed the Applicant's applications and made a report to the Planning Commission, a copy of which City Staff presented to the City Council; and

**WHEREAS**, the Planning Commission, on June 15, 2026, following proper notice, held a public hearing regarding the applications, and following said public hearing, made written findings and recommended approval of the applications; and

**WHEREAS**, the City Council, on June 23, 2026, at a public meeting, considered the applications; and

**WHEREAS**, based upon said report, hearing, and recommendation, the City Council hereby finds that approval of the preliminary plat for Hofmeister Fourth Addition, as depicted in Exhibit B and subject to conditions of approval, is appropriate with the following findings as required by Section 15-130 of the City's Unified Development

Ordinance:

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

Finding: The preliminary plat combines one platted lot (which was originally two) with one unplatted parcel into a single platted lot that is consistent with the C-2, Highway Commercial lot requirements, and pertinent provisions of the City's ordinances.

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

Finding: The City's Land Use Plan guides the subject property for commercial/residential mix, meaning that the area should accommodate commercial and/or residential uses. The proposed subdivision accommodates residential use in a commercial zoning district through a CUP, consistent with the City's Land Use Plan. The CUP is concurrently going through approvals alongside these applications.

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

Finding: The preliminary plat has one lot. The City's Development Review Committee reviewed the preliminary plat and found that it is consistent with good land planning and site engineering design principles.

- 4. Criteria: The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.**

Finding: The preliminary plat site and grading plan has 16 curb cuts serving the dwelling units on the southern property line fronting 1<sup>st</sup> Street NE. 10 of the curb cuts are a width of 10'-12' and the remaining 6 driveways are a width of 18'-20' creating small green space which will be difficult to retain due to snow storage, door swing and pedestrian circulation. The city engineer

requires that curb cut separation standards are to be no less than 6'. Driveways shall be combined where practicable and curb cuts are to be no greater than 32'. A 24' width private drive accesses Erblang Ave NE and 3<sup>rd</sup> Street NE to create two accesses/egress necessary to serve public safety concerns.

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

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

**WHEREAS**, the Planning Commission, following the public hearing held on June 15, 2026 also recommended that the Faribault City Council approve the requested final plat based on the following findings as required by Section 15-210 of the City's Unified Development Ordinance:

**1. Criteria: The final plat substantially conforms to the approved preliminary plat.**

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

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

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

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

Finding: The proposed final plat adequately addresses the submission requirements outlined in the City's Unified Development Ordinance.

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

**Section 1. Preliminary and Final Plat Approval.** The City Council approves the preliminary and final plat for Faribault Townhomes included in Exhibit B and Exhibit C, respectively, subject to the following conditions:

1. The Applicant/Property Owner must make the following changes regarding the final plat:
  - a. Confirm that the name of the plat is approvable through confirmation with the County Surveyor and Recorder.
  - b. Add post legal plat description
  - c. Update statement of dedication of public use as prescribed.
  - d. Confirm owners of interest or mortgages are represented on the plat or consents to plat provided.
  - e. Easements along lot perimeters are already dedicated in 3rd addition, so please distinguish existing and proposed easements.
  - f. 'Jessica L. Kinser' for City Administrator
  - g. 'Thomas J. Spooner' for Mayor
  - h. All taxes and special assessments paid.
2. The Owner and City must enter into a Development Agreement the specifies the provisions of the development related to the plat.
3. In-lieu of parkland dedication, the applicant must pay parks fees of \$16,800. The Development Agreement shall specify the time of collection.
4. Before recording the plat with the Rice County Recorder, the Owner must pay all applicable fees, special assessments, and taxes.
5. The plat must be recorded with the Rice County Recorder within 12 months following City Council approval or it shall be automatically deemed null and void, unless the City Council extends the deadline to record the plat.
6. The Developer shall submit current title work for the Property pursuant to Minnesota Statutes Section 505.03, the Faribault City Code and the required Development Agreement for this matter and abide by all conditions resulting from such title work and the resulting attorney plat opinion, as well as city staff review of the title work.
7. The City Planning Manager shall be provided with the signed Mylar copy of the final plat, after the final plat has been successfully recorded at Rice County. Mylar's of the Final Plat are retained by the City Engineer.

8. The City Engineer shall be provided with a final plat in a digital format suitable to the City Engineer as soon as possible after the final plat has been successfully recorded at Rice County.
9. Any remaining requirements as indicated by staff in the staff report to Planning Commission in Exhibit D.
10. Any comments and requirements from MN DOT shall be incorporated into this Resolution.

**Section 2. Findings.** The recitals in this Resolution are integral to this Resolution and, where applicable, constitute the findings of the City Council.

**Section 3. Authorization to take Additional Steps.** The City Council authorizes and directs City Staff and City Consultants to take all additional steps and actions necessary or convenient to accomplish the intent of this Resolution. That may include necessary minor amendments to the plat and other documents.

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

*(Remainder of page intentionally left blank)*

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

**Date Adopted:** June 23, 2026

**Faribault City Council**

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**Thomas J. Spooner, Mayor**

**ATTEST:**

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**Jessica L. Kinser, City Administrator**

**Exhibit A**  
**Legal Description**

Lots 3 and 4, Block 5, in Erblang's Addition, Faribault, Rice County, Minnesota

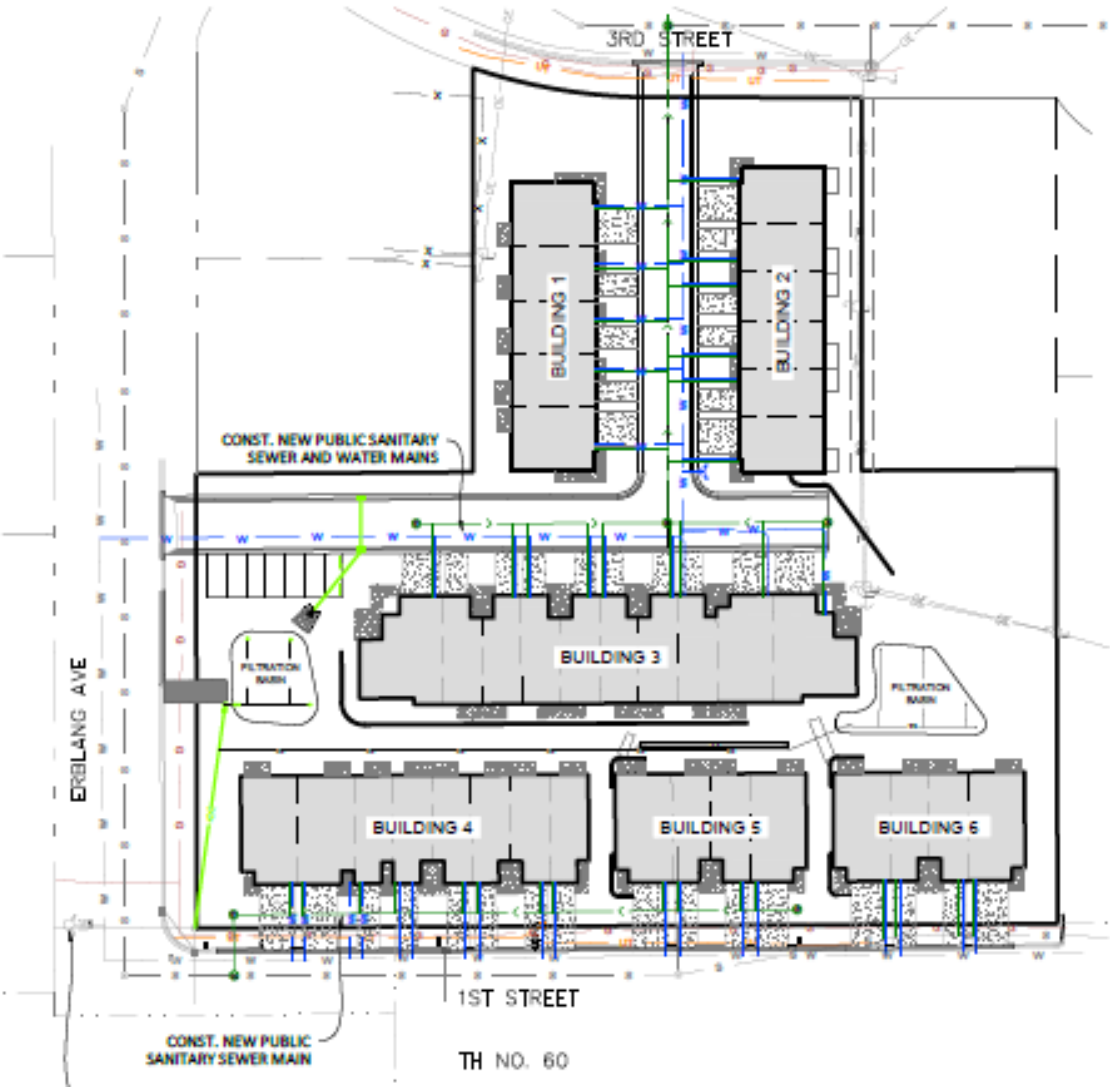
AND ALSO

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, County of Rice, State of Minnesota described as follows, to-wit: Beginning at a point on the North line of State Trunk Highway No. 60, 693 feet East of the West line and 349.3 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 East, along said highway line 398.35 feet to a point 233 feet West of the East line and 354.83 feet North of the South line of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence North, parallel with said East line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, 210 feet; thence West, parallel with the said North line of State Trunk Highway No. 60, 398.28 feet to a point 693 feet East of the said West line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence South, parallel with said West Line, 210 feet to the point of beginning.

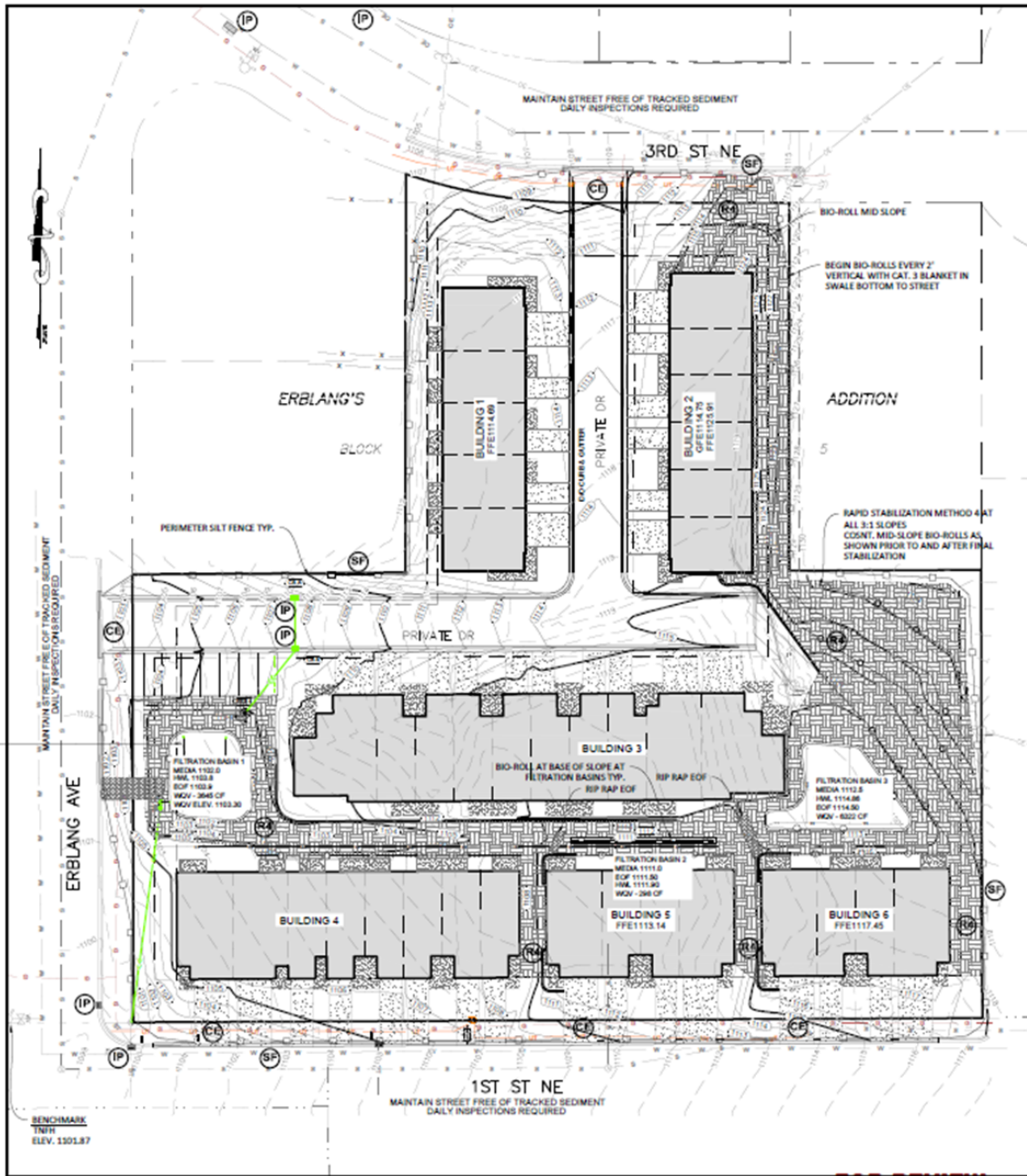




**Exhibit C (Continued)  
Conceptual Site Plan**



# Exhibit C (Continued) Conceptual Site Grading Plan



**Exhibit D  
Staff Report**

*(Insert staff report after this page)*

State of Minnesota  
County of Rice

**CITY OF FARIBAULT**

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**RESOLUTION #2026-XXX**

**APPROVE A CONDITIONAL USE PERMIT TO ALLOW A MULTI-FAMILY USE IN THE C-2, HIGHWAY COMMERCIAL DISTRICT AT 924 1<sup>st</sup> STREET NE**

**WHEREAS**, Dan Gatchell, representing Rebound Real Estate LLC (the "Applicant"), on behalf of ThinkBiz LLC (the "Property Owner"), submitted a request for a conditional use permit to develop Faribault Townhomes, a 37-unit residential development at property commonly known as 924 1<sup>st</sup> Street NE and legally described in Exhibit A of this resolution; and

**WHEREAS**, City Staff completed a review of the Applicant's request for issuance of a conditional use permit and made a report to the Planning Commission; and

**WHEREAS**, the Planning Commission, on June 15, 2026, following proper notice, held a public hearing regarding the Applicant's request, and following said public hearing recommended that the City Council conditionally approve the Applicant's request based on the following findings as required by Chapter 2, Article 7, Section 2-300 of the City's Unified Development Ordinance:

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

**convenience, or general welfare.**

Expanded Finding: The proposed residential development will not be detrimental to the general public. The proposed development is consistent with applicable City codes, which protect the health, safety, and welfare of the public, including comfort and convenience. Additional residential uses at a medium density in a neighborhood of primarily residential uses at mixed densities is not detrimental to the existing residential.

- 2. Finding: 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 surrounding area is developed. Therefore, the proposed development will not impede future development in the area. The proposed development is compatible with the character of the surrounding area for a medium density residential use near a mix of residential uses. The proposed development will not be injurious to the surrounding properties.

- 3. Finding: 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 Developer participated in a neighborhood meeting and a City Council work session to listen to the community's hopes and concerns. The Developer considered both public and staff input in creating the final project. The proposed development is compatible with the character of the surrounding area.

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

Expanded Finding: The proposed development is consistent

with the City's ordinances. The development adequately addresses the community's expressed hopes and concerns. Medium density residential development does not create hazards or disturbing influences on adjacent residential uses. Residential uses in general are compatible with other residential uses in most cases. The development will not impose hazards on neighboring properties.

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

Expanded Finding: The proposed development will substantially improve the appearance of the existing property. The proposed housing development will be an asset to the neighborhood and the community. Investment in property is generally seen as an improvement, which does positively impact nearby property values. It will not substantially diminish the value of neighboring properties.

**6. Finding: 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: The subject property is adequately served by all essential public facilities and services, including utilities, roads, police, and fire protection.

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

Expanded Finding: The Developer is responsible for all costs associated with the proposed residential development.

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

Expanded Finding: The proposed residential development does not create traffic congestion concerns on the public streets. Where the applicant proposes many driveways along 1<sup>st</sup> St NE, staff proposed a condition that would require sharing a driveway curb cut onto the property for any driveway less than 6 feet from another driveway. The overall driveway width at the ROW line will be compliant with the maximum size of a curb cut, which is 32 feet.

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

Expanded Finding: There are no significant natural, scenic, or historic features that will be affected by the proposed residential development. The proposed development provides adequate landscaping to compensate for the loss of existing trees due to the proposed construction.

**10. Finding: 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 Journey to 2040 Land Use Plan guides the subject property for commercial and/or residential use. The proposed residential development is consistent with the Land Use Plan and the City's goals to increase the number and variety of residential units in the community.

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

Expanded Finding: The proposed residential development is consistent with all applicable requirements of the City Code; and

**WHEREAS**, at a public meeting on June 23, 2026, the City Council considered the Applicant's request and concurs with the recommendation and written findings of the Planning Commission as

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

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

**Section 1. Approval of Conditional Use Permit.** The City Council hereby approves the Applicant's request for issuance of a conditional use permit to allow development of the proposed 34-unit rental residential units as generally shown in Exhibit B of this resolution. The City may allow modifications to the proposed development that is consistent with the intent of this resolution.

**Section 2. Conditions Attached to the Approval of the Conditional Use Permit.** Approval of this conditional use permit is conditioned on the following:

1. The proposed driveways on 1<sup>st</sup> St NE must be no wider than 32 feet at the property line or ROW line. A minimum six-foot-wide landscaped area shall separate the driveways. If a 6-foot-wide landscaped area cannot be achieved, the driveways must be combined where it meets the property line and may diverge from there.
2. The project must meet all landscape requirements.
3. The project must meet ADA standards for accessibility and site navigation as required by the Building Official and City Engineer.
4. The Developer must provide residential unit addresses as per the direction of the City Staff. The Developer must also provide site signage that adequately guides first responders, delivery vehicles, and other visitors to the appropriate locations in the development.
5. The Developer must provide barrier fencing at the top of the proposed retaining walls.
6. The Developer must handle snow storage and removal per City ordinances.

**Section 3. Additional Conditions Attached to the Approval of this**

**Conditional Use Permit.** Approval of this conditional use permit is also conditioned on the following:

1. A failure by the City to take action with respect to any violation of any condition, covenant or term of this permit shall not be deemed 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 for purposes of ensuring compliance with the conditions of the conditional use permit.
3. This conditional use permit is subject to the requirements of the Faribault Code of Ordinances. The Owner is required to comply with all applicable federal, state, and local laws, rules, and ordinances, and to obtain such other permissions and permits as may be required.
4. The violation of any terms or conditions of the conditional use permit including, but not limited to, any applicable federal, state, or local laws, rules, regulations, and ordinances, may result in in the City's revocation of this conditional use permit. The City shall give the Owner written notice of any violation and reasonable time, as determined by the City, to cure the violation before the City's revocation of this conditional use permit may occur.
5. This conditional use permit and the conditions imposed on it are binding on the parties, their successors, and assigns, shall run with the property, and shall not in any way be affected by the subsequent sale, lease, or other change from current ownership. The obligations of the Owner under this permit shall also be the obligations of any subsequent Owners or assigns of the property.
6. Use of the subject property for the uses allowed by this conditional use permit shall be deemed acceptance of, and agreement to, the terms of and conditions of the conditional use permit without qualification, limitation, or reservation.
7. If substantial development of construction related to this

conditional use permit has not occurred within one (1) year of the date of the approval of this conditional use permit, then the City shall consider this conditional use permit void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days prior to the expiration of the conditional use permit and shall state facts showing a good faith effort to complete the work permitted under the original approval.

8. If the use permitted by this conditional use permit is discontinued for a period of one (1) year or longer, or if the use has been changed to a permitted use or to any other conditional use, then this conditional use permit shall be deemed abandoned and the use shall be brought into conformance with the Faribault Code of Ordinances.

**Section 4. Authorized Actions of the City.** The City Council hereby authorizes and directs 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.

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**Section 5. Effective Date.** This resolution shall become effective immediately upon its passage.

**Date Adopted:** June 23, 2026

**Faribault City Council**

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**Thomas J. Spooner, Mayor**

**ATTEST:**

---

**Jessica L. Kinser, City Administrator**

**Exhibit A**  
**Legal Description**

Lots 3 and 4, Block 5, in Erblang's Addition, Faribault, Rice County,  
Minnesota

AND ALSO

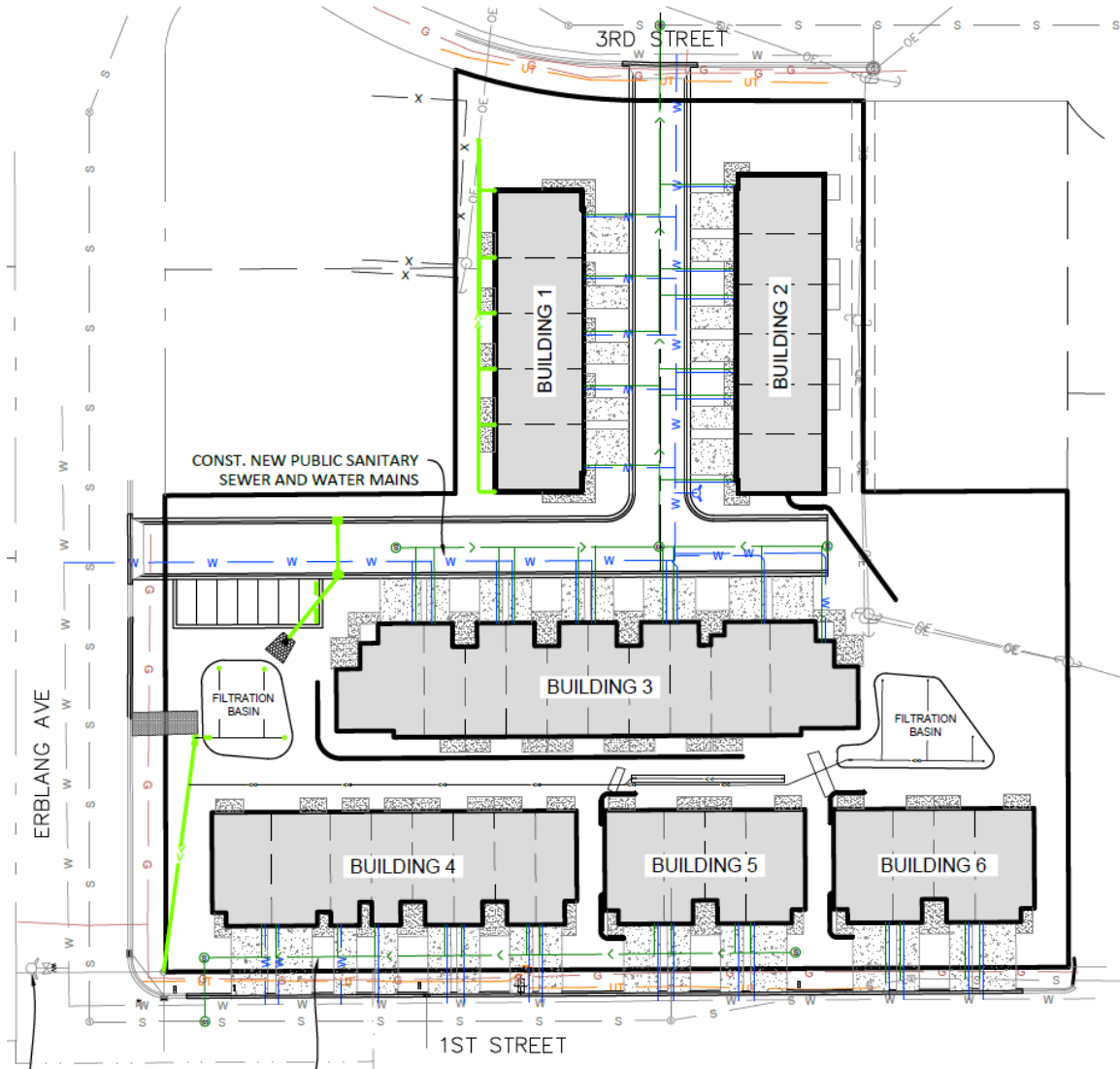
All that part of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, Township 110 North, Range 20 West of the Fifth Principal Meridian, in the City of Faribault, County of Rice, State of Minnesota described as follows, to-wit: Beginning at a point on the North line of State Trunk Highway No. 60, 693 feet East of the West line and

349.3 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 East, along said highway line 398.35 feet to a point 233 feet West of the East line and

354.83 feet North of the South line of said Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence North, parallel with said East line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32, 210 feet; thence West, parallel with the said North line of State Trunk Highway No. 60, 398.28 feet to a point 693 feet East of the said West line of the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4) of Section 32; thence South, parallel with said West Line, 210 feet to the point of beginning.

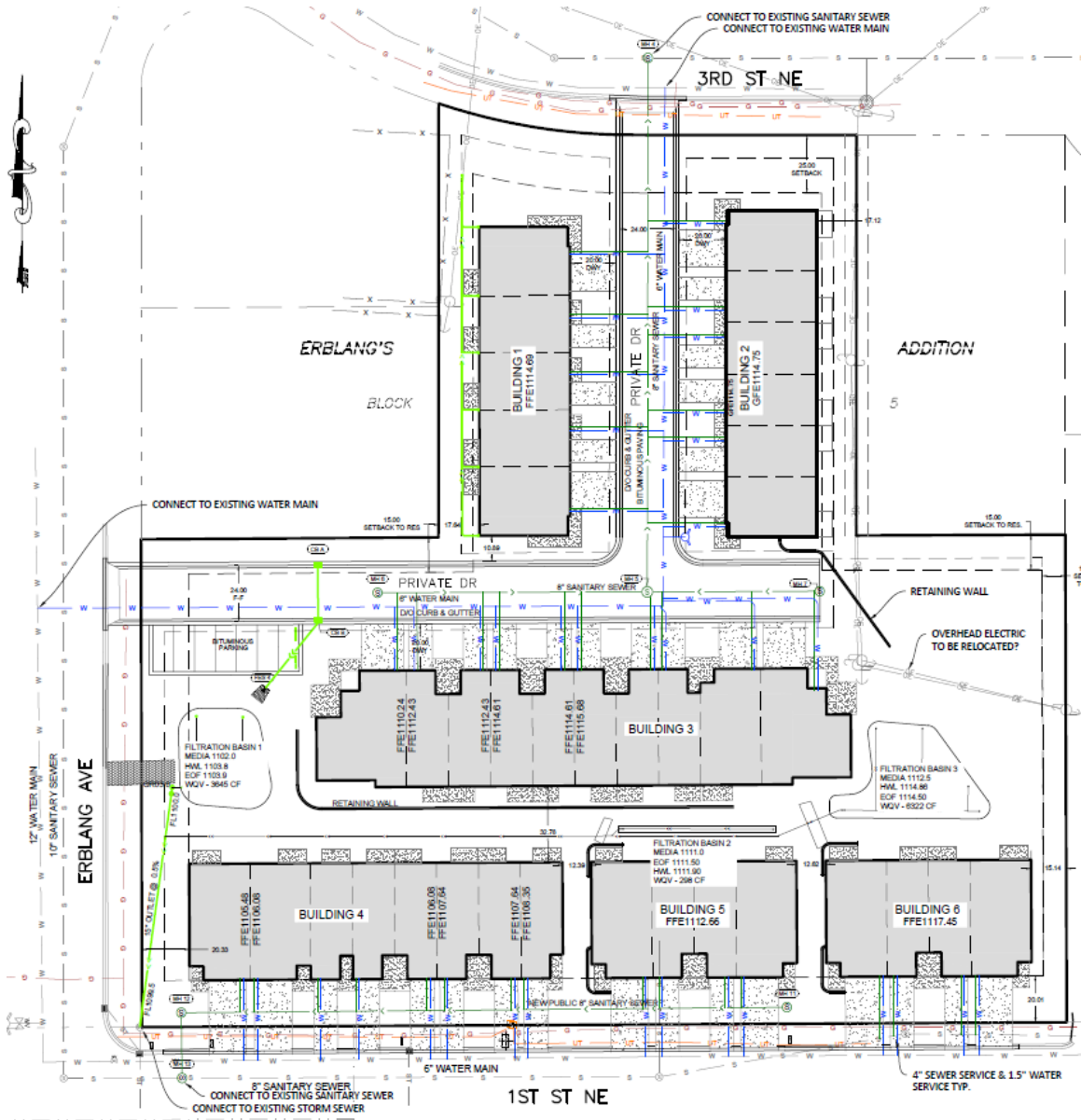
(Abstract Property)

# Exhibit B General Layout and Design



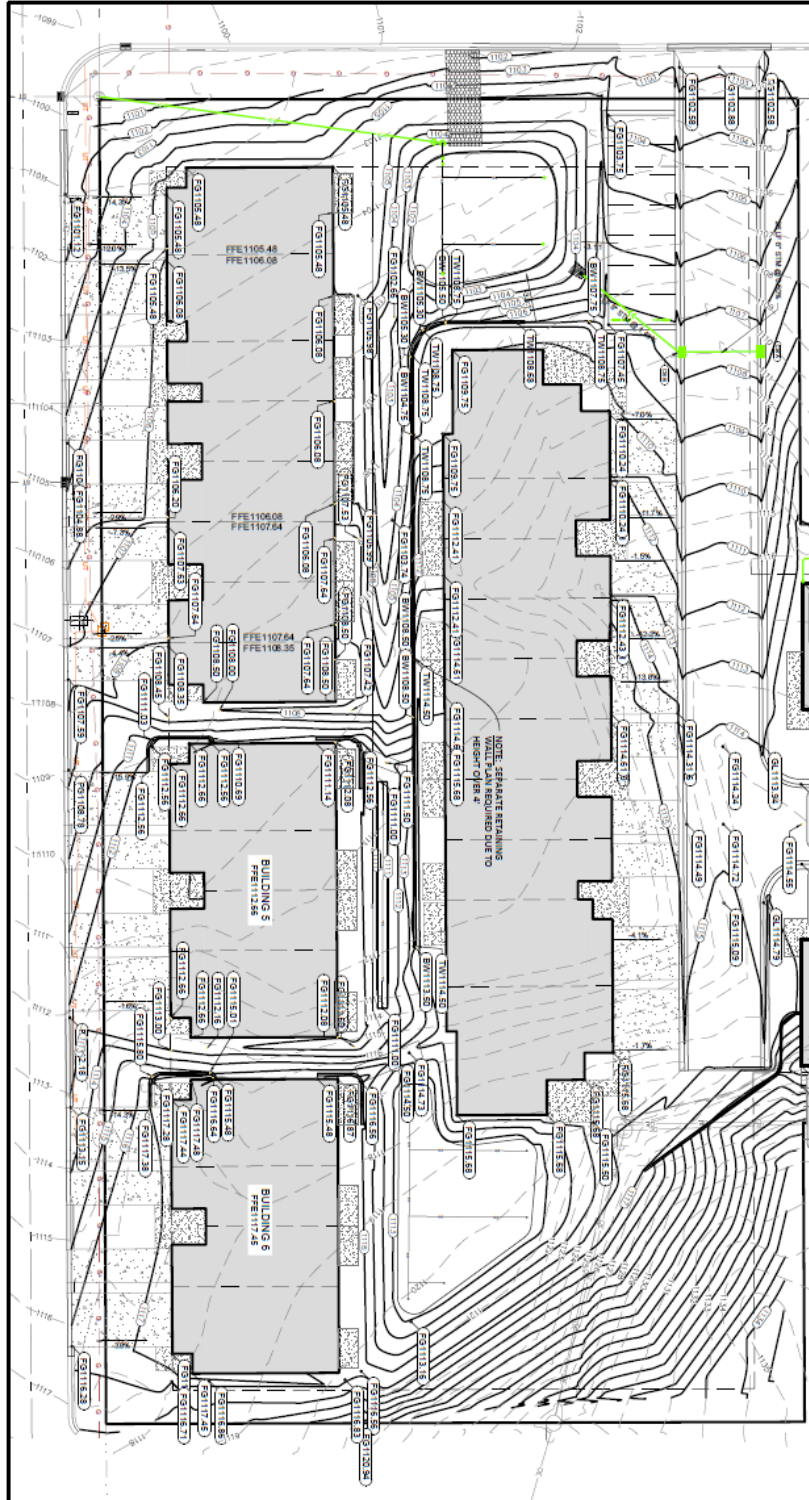
# Exhibit B (contd)

## General Layout and Design



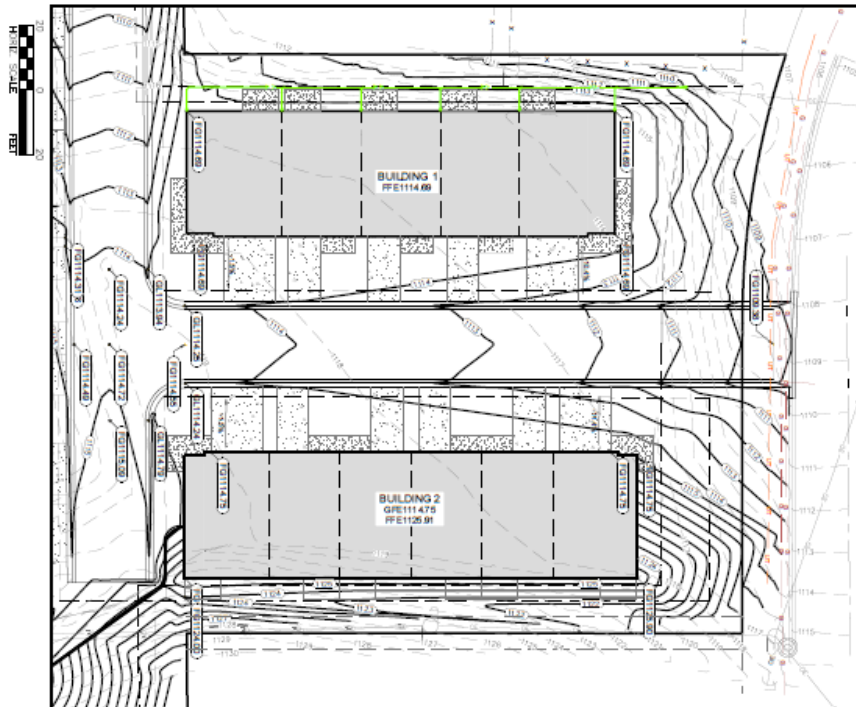
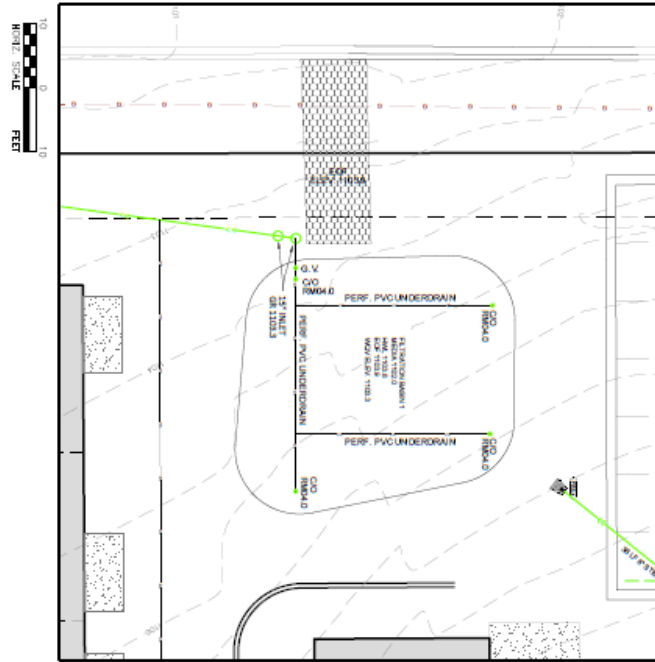
Site Plan

# Exhibit B (contd) General Layout and Design



Grading Plan Detail

# Exhibit B (contd) General Layout and Design



Grading Plan Detail

## Exhibit B (contd) General Layout and Design



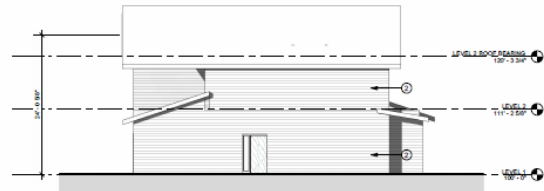
① BUILDING 1 FRONT ELEVATION  
1/8" = 1'-0"



① BUILDING 1 BACK ELEVATION  
1/8" = 1'-0"



① BUILDING 1 EAST ELEVATION  
1/8" = 1'-0"



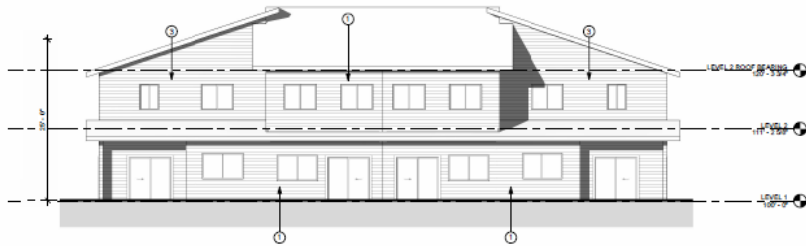
① BUILDING 1 WEST ELEVATION  
1/8" = 1'-0"

### Elevations

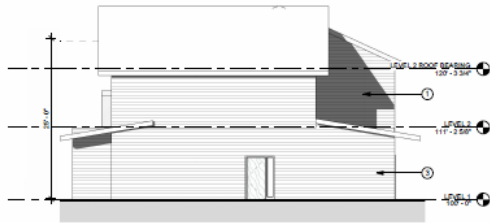
## Exhibit B (contd) General Layout and Design



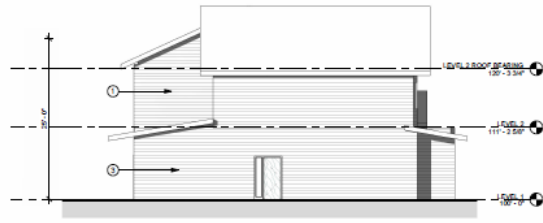
1 BUILDING 2 FRONT ELEVATION  
1/8" = 1'-0"



2 BUILDING 2 BACK ELEVATION  
1/8" = 1'-0"



3 BUILDING 2 EAST ELEVATION  
1/8" = 1'-0"



4 BUILDING 2 WEST ELEVATION  
1/8" = 1'-0"

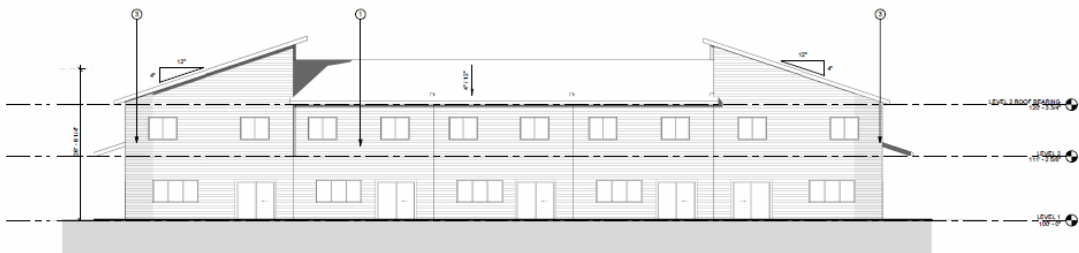
Elevations



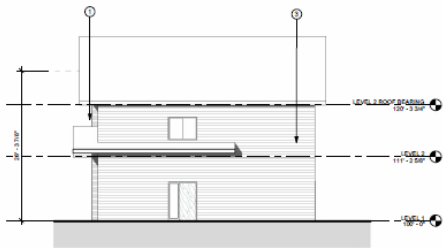
## Exhibit B (contd) General Layout and Design



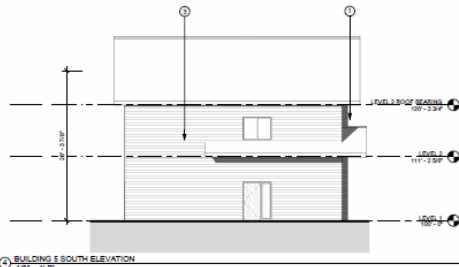
1 BUILDING FRONT ELEVATION  
1/8" = 1'-0"



2 BUILDING BACK ELEVATION  
1/8" = 1'-0"



3 BUILDING NORTH ELEVATION  
1/8" = 1'-0"



4 BUILDING SOUTH ELEVATION  
1/8" = 1'-0"

Elevations

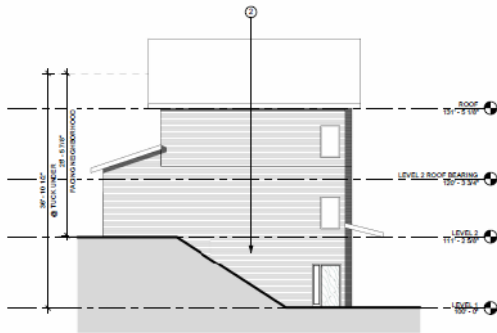
## Exhibit B (contd) General Layout and Design



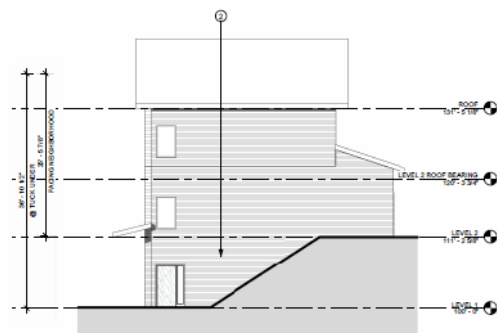
1) BUILDING 7 FRONT ELEVATION  
1/8" = 1'-0"



2) BUILDING 7 BACK ELEVATION  
1/8" = 1'-0"



3) BUILDING 5 NORTH ELEVATION  
1/8" = 1'-0"



4) BUILDING 5 SOUTH ELEVATION  
1/8" = 1'-0"

Elevations



## **CITY OF FARIBAULT**

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### **RESOLUTION #2026-XXX**

#### **APPROVE VARIANCE FOR FARIBAULT TOWNHOMES**

**WHEREAS**, Dan Gatchell, representing Rebound Real Estate LLC (the "Applicant"), on behalf of ThinkBiz LLC (the "Property Owner"), request approval for the reduction of various building setbacks for property at 924 1<sup>st</sup> St NE (the "Property"), known as Faribault Townhomes, legally described in Exhibit A and graphically depicted in Exhibit B; and

**WHEREAS**, the Applicant proposes a 37-unit residential community by combining the underlying parcels into one lot through Resolution 2026-XXX and a CUP through Resolution 2026-XXX; and

**WHEREAS**, the applicant requests the placement of buildings:

1. Up to 20 feet from the front property line along 1<sup>st</sup> St NE.
2. Up to 20 feet from the corner side property line along Erbland Ave NE

**WHEREAS**, under Appendix B UDO (the Unified Development Ordinance) Chapter 11, Article 1, Section 11-100, Table 11-2 requires:

1. A 25 foot setback along 1<sup>st</sup> St NE for a front building setback.
2. A 25 foot setback along Erbland Ave NE for a corner side setback; and

**WHEREAS**, under Appendix B UDO, Chapter 2, Article 9, Sec 2-420, variances are intended to provide a means of departure from the literal requirements of this ordinance where strict adherence would cause practical difficulties because of unique circumstances related to the

property; and

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

**WHEREAS**, the Planning Commission, on June 15, 2026, following proper notice, held a public hearing regarding the requests, and following said public hearing, the Planning Commission recommended approval of the requested variances based on the following findings as required by Section 2-460 of the City's Unified Development Ordinance:

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

Finding: The variance requested by the applicant is in harmony with the general purposes and intent of the City's ordinances. The intent behind Sec 11-100 is to provide a consistent aesthetic and minimum spatial location for new structures along the street and ensure there is adequate room in front of the building to accommodate a parked car. This development spans nearly 400 feet along 1<sup>st</sup> St NE, which is comparable to some city blocks. Having the buildings closer to 1<sup>st</sup> St NE, when thinking of the development as being its own block, is creating its own development standard that makes sense with the gradual change of urban development to more rural development as you leave Faribault on Highway 60. The setback along Erblang Ave NE is a similar situation, where 200 feet of frontage is still a substantial amount of road frontage. Because there is a substantial gap between the buildings pushed towards 1<sup>st</sup> St NE and the street corner and the adjacent single family residential along Erblang, there is a substantial gap that will make the variance less noticeable versus the compliant residential nearby.

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

Finding: The property is guided for Commercial/Residential Mixed Use and the proposed townhomes remain consistent with this land use.

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

Finding: The applicant is using the property in a reasonable manner. There are numerous historical proposals for residential on the subject property with various reasons for them not following through. This development seeks to adequately provide stormwater, greenspace, and residential types that will be functional and attractive for the neighborhood, while balancing the number of units for economic reasons and accommodating significant topography. This medium-density residential development is appropriate for the property. Topography, alongside room for stormwater facilities, has pushed the buildings close to the street.

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

Finding: The property is unique for its topography, configuration of the proposed exterior parcel boundaries, and balancing of the proposed site constraints with the project proposed infill development. While the applicant substantially complies with the majority of the setback requirements in other areas of the site, a redevelopment site has unique circumstances that are not the result of the applicant's actions.

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

Finding: The request does not alter the essential character of the neighborhood as this property was previous a medical clinic

and will be residential in use. The townhomes are in scale with the nearby properties and buildings. As mentioned before, the development commands significant frontage, and can adequately address a closer location to the street due to it being a cohesive development. The closeness of the buildings does transition nicely to buildings set farther back on adjoining properties.

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

Finding: Due to the practical difficulties noted in earlier findings, the applicants' requests are the minimum necessary to accommodate topography and stormwater with an atypical property boundary.

**6. Economic conditions alone do not constitute practical difficulties.**

Finding: The applicant has practical difficulty apart from any economic concerns or conditions in redevelopment. The assemblage of the parcel and site design posed a difficult challenge to accomplish in a manner that supports all criteria.

***WHEREAS***, the City Council, at a public meeting, on June 23, 2026, considered the request and concurred with all findings of the Planning Commission and City Planner as stated in the above recitals and hereby makes the identical findings.

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

**Section 1: Approval of the Requested Variance.** The City Council hereby approves the requested variances in the building setbacks along 1<sup>st</sup> St NE and Erblang Ave NE from 25 feet (as required by Sec 11-100) to 20 feet from the property line. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and which constitute the findings of the City Council, all of which are to protect the public's health, safety, and welfare.

**Section 2: Conditions of Approval.** The variance is approved subject to conditions listed herein as authorized under Section 2-470 of the Unified Development Ordinance, which are deemed necessary to mitigate potential adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve objectives identified in the Unified Development Ordinance. The conditions of approval are as follows:

1. The project must be substantially similar to what is depicted in Exhibit C and may not exceed the variance limits. If the Development Review Committee determines that the project is substantially different from what is approved in this Resolution, the applicant will need to submit for a new variance.

**Section 3. Expiration of Variance.** If substantial development or construction has not taken place within one (1) year of the date of approval of a variance, such variance shall be considered void unless a petition for a time extension has been granted by the City Council. Such extension request shall be submitted in writing at least thirty (30) days prior to expiration of the variance and shall state facts showing a good faith effort to complete work permitted under the original approval.

**Section 4. Compliance.** The City Council authorizes the Mayor, City Administrator, City Planner, and the City Attorney to take any additional steps and actions necessary or convenient to accomplish the intent of this resolution. This may include minor changes to this Resolution and associated documents and exhibits

*(The remainder of this page has been left blank intentionally.)*

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

**Date Adopted:** June 23, 2026

**Faribault City Council**

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**Thomas J. Spooner, Mayor**

**ATTEST:**

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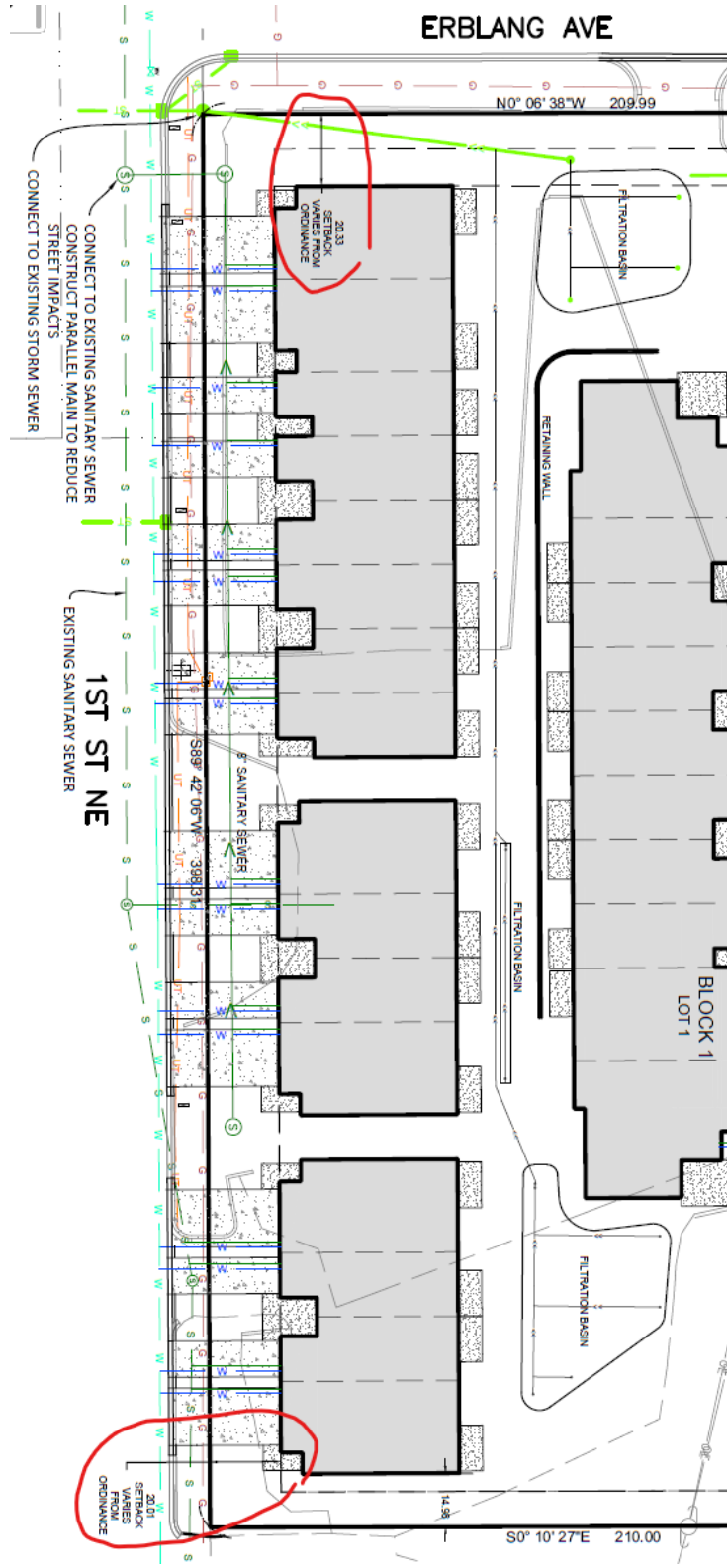
**Jessica L. Kinser, City Administrator**

**Exhibit A**  
**Property Legal Descriptions**

Lot 1, Block 1 of FARIBAULT TOWNHOMES in the City of Faribault, Rice  
County, Minnesota

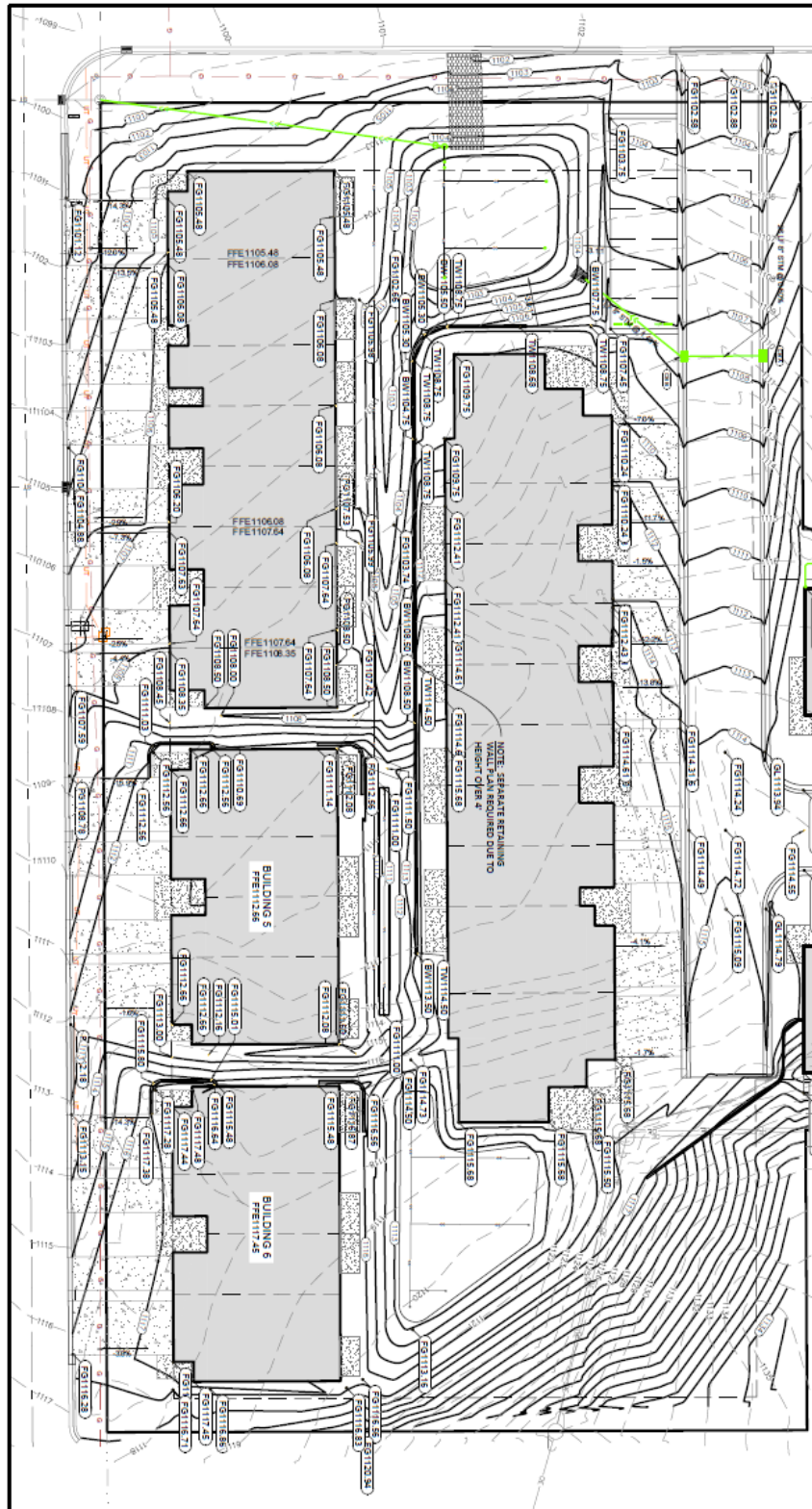


# Exhibit C Depiction of Variance



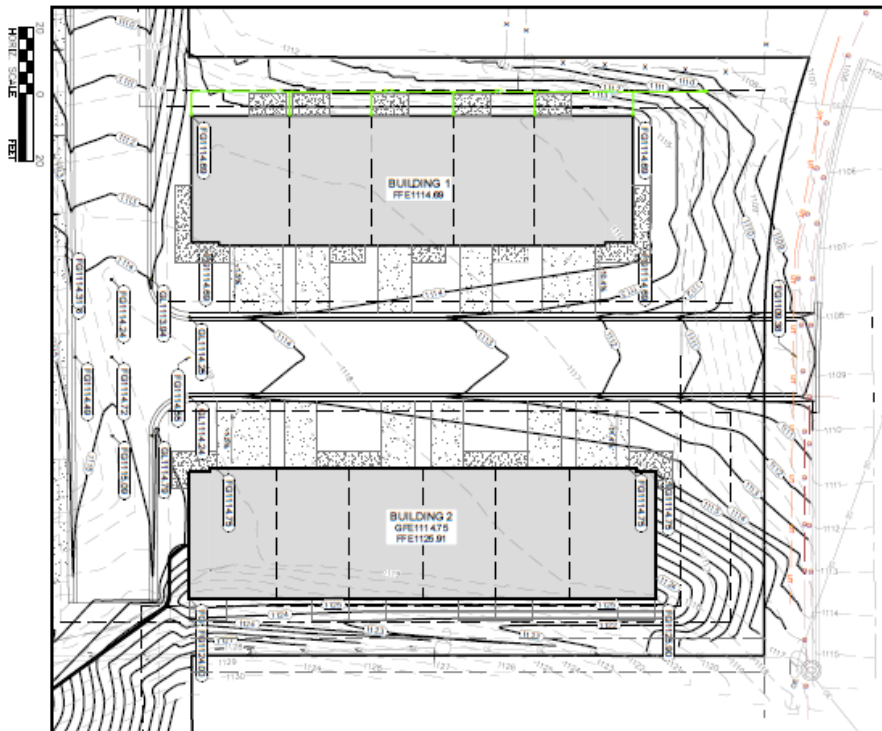
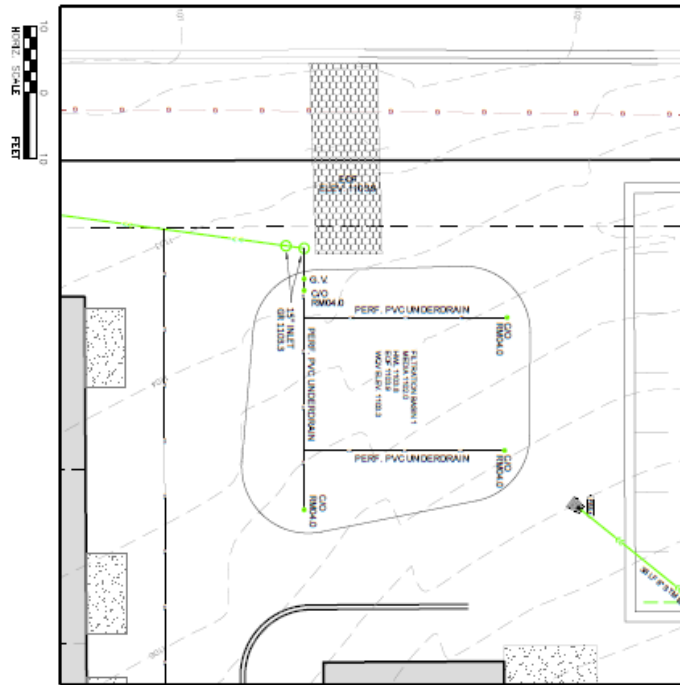
Variance Request from Building Setback

# Exhibit C (contd) Depiction of Variance



Grading Plan Detail

## Exhibit C (contd) Depiction of Variance



Grading Plan Detail

**Exhibit D**  
**Staff Report from Planning Commission**

(insert document after this page)

**CITY OF FARIBAULT**

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**RESOLUTION #2026-XXX**

**APPROVE CIC PLAT NO. 104 FOR FARIBAULT TOWNHOMES**

**WHEREAS**, Dan Gatchell, representing Rebound Real Estate LLC (the "Applicant"), on behalf of ThinkBiz LLC (the "Property Owner"), submitted a request for approval of a Common Interest Community (CIC) plat, to be known as Faribault Townhomes, CIC No.104 at 924 1<sup>st</sup> St NE; and

**WHEREAS**, the property associated with the proposed CIC plat consists of the subdivision called Faribault Townhomes (the "Property"), as described in Exhibit A; and

**WHEREAS**, City Staff reviewed the Applicant's proposed CIC plat for compliance with the Unified Development Ordinance (UDO) of the City of Faribault, Minnesota, and Minnesota Statutes Chapter 515 B; and

**WHEREAS**, Sec. 15-30 (A) of the City's UDO states that platting regulations, as outlined in the UDO, apply to CIC plats, which require cash in lieu of parkland dedication; and

**WHEREAS**, the proposed CIC plat includes 37 dwelling units across 6 buildings allowed by a CUP approved in Resolution 2026-XXX; and

**WHEREAS**, on May 27, 2026, the Faribault Park and Recreation Advisory Board recommended that the City Council require cash in lieu of parkland dedication for the proposed 37 dwelling units, totaling \$9,500 ([20 units x \$500]+[17 units x \$400] = \$16,800), per Sec. 15-336 of the UDO; and

**WHEREAS**, City Staff made a report to the Planning Commission, a copy of which City Staff presented to the City Council; and

**WHEREAS**, the Planning Commission, on June 15, 2026, following proper notice, held a public hearing regarding the Applicant's request for approval of a CIC plat, and following said public hearing, recommended that the City Council approve the CIC plat (see EXHIBIT B), finding that it:

1. Is consistent with the City's Journey to 2040 Comprehensive Plan and Downtown Master Plan.
2. Complies with the applicable provisions of the City's Unified Development Ordinance, including, but not limited to, the underlying zoning district and the subdivision regulations.
3. Complies with the applicable provisions of Minnesota Statutes, Chapter 515B, the Minnesota Common Interest Ownership Act, and accurately depicts units and common elements.
4. Provides adequate provisions for pedestrian and vehicular access and circulation.
5. Provides adequate provisions for utilities, stormwater drainage, and public services.
6. Includes necessary easements for utilities, drainage, access, and public purposes.
7. Contains a sound, well-conceived layout that is consistent with good site planning and site engineering principles.
8. Will not adversely affect the public health, safety, or general welfare.
9. Was prepared by a licensed surveyor and meets the applicable technical requirements for approval of a CIC plat.

**WHEREAS**, at a public meeting on June 23, 2026, the City Council considered the Applicant's request for approval CIC Plat No. 104, and concurred with the recommendation and findings of the Planning Commission, as stated in the above recital, and made identical findings.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF**

***THE CITY OF FARIBAULT AS FOLLOWS:***

**Section 1. Approval of CIC Plat No. 104.** The City Council hereby approves a Common Interest Community (CIC) plat, to be known as Faribault Townhomes, CIC No.104 (as shown in EXHIBIT B), subject to the following conditions:

1. The Applicant must satisfy all City Engineer comments, including but not limited to utility connections, drainage, and easements.
2. The Applicant must provide the City Engineer with a signed copy of the CIC plat as soon as possible after all signatures have been obtained and after the CIC plat has been recorded.
3. The Applicant must pay to the City the required \$16,800 parkland fee for the proposed 37 dwelling units before recording the CIC plat.
4. All legal documents associated with the CIC plat, including but not limited to declarations, bylaws, and maintenance agreements, are subject to the review and approval of the City Attorney prior to recording.
5. Per the CUP approved in Resolution 2026-XXX, some of the townhome driveways are required to be combined. Where the driveways are combined, the development must either have an access and maintenance agreement or covenant within the CIC in place specifying access and maintenance between the townhouses and overall HOA.
6. The Owner and City must enter into a Development Agreement.
7. Before recording the CIC plat with the Rice County Recorder, the Owner must pay all applicable fees, special assessments, and taxes.
8. The CIC plat must be recorded with the Rice County Recorder within twelve (12) months following City Council approval, or it shall be automatically deemed null and void, unless the City Council extends the deadline to record the CIC plat.
9. The Developer shall submit current title work for the Property pursuant to Minnesota Statutes Section 505.03, the Faribault City Code, and the required Development Agreement for this matter and abide by all conditions resulting from such title work and the resulting attorney plat opinion, as well as City Staff review of the title work.
10. Any future amendments to CIC Plat No. 104 affecting layout, access, or infrastructure is subject to City review and approval.

**Section 2. Findings and incorporation of recitals and exhibits.** The recitals and exhibits in this Resolution are integral to this Resolution and, where applicable, constitute the written findings of the City Council.

**Section 3. CIC plat clean-up.** The City and Applicant acknowledge that the CIC plat presented in EXHIBIT B may require modifications prior to recording the plat. The City Council authorizes and directs City Staff and City Consultants to work with the Applicant to finalize the CIC plat for recording without additional City Council action.

**Section 4. Authorization to take additional steps.** The City Council authorizes and directs City Staff and City Consultants to take all additional steps and actions necessary or convenient to accomplish the intent of this Resolution.

**Section 5. Authorization to execute documents.** The City Council authorizes and directs the Mayor and City Administrator to take all necessary actions and to execute all appropriate documents to effectuate the approvals contemplated by this Resolution.

**Section 6. Effective date.** This Resolution is effective immediately upon its passage and without publication.

**Date Adopted:** June 23, 2026

**Faribault City Council**

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**Thomas J. Spooner, Mayor**

**ATTEST:**

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**Jessica L. Kinser, City Administrator**

**EXHIBIT A**  
**Legal Description**

Lot 1, Block 1 of FARIBAULT TOWNHOMES in the City of Faribault, Rice  
County, Minnesota

