1. Call To Order/Roll Call
   1.A. 1. 4-20-2020 Agenda
       Documents:
       1. 04-20-2020 AGENDA REVISED.PDF

2. Approve Minutes
   2.A. 2. 4-6-2020 Meeting Minutes
       Documents:
       2. 04-06-2020 MEETING MINTUES.PDF

3. Public Hearings
   3.A. 3A. 2020-12 VAR VIP Salon
       Documents:
       3A.VAR 12-2020 LUIS SALS VIP SALAN PARKING PC MEMO V2.PDF

   3.B. 3B. PP FP CUP VAR Cashin Addition
       Documents:
       3B PFP.CUP.VAR 08-2020 CASHIN ADDITION PC MEMO.PDF

4. Routine Business

5. Work Session
   5.A. 5. Work Session Agenda
       Documents:
       04-20-20 WS AGENDA.PDF

6. Adjourn
FARIBAULT PLANNING COMMISSION
AGENDA

Minn. Stat. § 13D.021 – Meeting by Telephone or Other Electronic Means; Conditions

- Minn. Stat. § 13D.021 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

Anyone interested in the public hearings may participate in the hearings by calling the following telephone number or joining the following videoconference at the scheduled date and time of the public hearings:

1. Telephone number to call at the time of the public hearing: 1-312-626-6799, meeting ID: 934 938 878#

2. Videoconference to join at the time of the public hearing: https://zoom.us/j/934938878

Monday, April 20, 2020 7:00 PM

1. CALL TO ORDER / ROLL CALL

2. APPROVAL OF MINUTES

   A. Minutes of April 6, 2020

3. PUBLIC HEARINGS

   A. VAR 12-2020 Variance Request from Luis Salas, for a reduction in off street parking requirements, to allow a hair salon in the C-1, Neighborhood Commercial District at 1008 Division Street W.B.

   B. PFP, CUP & VAR 08-2020 Rick Cashin Construction Inc. is requesting approval of a Preliminary and Final Plat for Cashin Addition; a Conditional Use Permit to construct a 20 unit apartment building; and, Variances from wetlands buffer and setback requirements in the C-2 Highway Commercial District, located at 2805 Cardinal Avenue.

4. ROUTINE BUSINESS

   A. None

5. ADJOURN

Please contact the City Planning Division (507.334.0100) if you need special accommodations related to a disability to participate this meeting.
The Public Hearings are broadcast live on FCTV.
Minn. Stat. § 13D.021 – Meeting by Telephone or Other Electronic Means; Conditions - Minn. Stat. § 13D.021 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

Anyone interested in the public hearings may participate in the hearings by calling the following telephone number or joining the following videoconference at the scheduled date and time of the public hearings:

1. Telephone number to call at the time of the public hearing: 1-312-626-6799, meeting ID: 889 986 454#
2. Videoconference to join at the time of the public hearing: https://zoom.us/j/889986454

Monday, April 6, 2020  7:00 PM

1. Chair Albers called the meeting to order at 7:09 p.m. and a Roll Call was taken. In attendance were Commissioners: Ackman, Ali, Campbell, Faugstad, Temple, White and Chair Albers. Others present were Dave Wanberg, City Planner; Peter Waldock, Planning Coordinator; John Rued, Building Official; Deanna Kuennen, Director; Todd Nelson and Dave Tieman.

2. APPROVAL OF MINUTES OF 3/2/2020.

A motion was made by Campbell and seconded by Temple to approve the meeting minutes of 3/2/2020.

ROLL CALL VOTE:

Aye: Ackman, Ali, Campbell, Faugstad, Temple, White, and Chair Albers
Nay: None.
3. PUBLIC HEARINGS

A. VAR 09-2020 Variance Request from T Nelson Properties to Allow Nine Residential Units on the Parcel at 230 Central Avenue, Whereas the Ordinance Allows a Maximum of Five Residential Units

Mr. Wanberg began his presentation and Chair Albers then opened the matter up for discussion. White was concerned with the lack of a plan for a trash enclosure. Wanberg stated that the applicant was present and should be addressed when the public hearing is open. Temple asked Wanberg what the original intent of the ordinance was in terms of density limitations. Wanberg stated that there was no purpose of the provision. Temple asked if there were any life/safety concerns and Wanberg stated no. Ali asked if there were any ADA requirements for this proposed plan and Wanberg stated that there is an elevator in the building and the applicant will have to meet all the requirements. Rued then spoke stating that he’s had conversations with the applicant and confirmed that he will need to have the elevator and that all units will need to have the capability to adapt to ADA requirements. Ali asked if this was a secure building and Chair Albers then opened up the public hearing at 7:42 p.m. to allow Mr. Nelson the applicant to answer. Mr. Nelson stated that he does have a plan to put dumpsters across the street; however, there is room where the pop machine is located for an enclosed trash area; he stated that the elevator has to be redone to bring it up to code; and that the building is a secure building. Temple asked how the applicant came up with nine units versus what is in the ordinance. Nelson stated that with the available square footage, the designers was able to accommodate rather large units with 3 bathrooms in several of the units. White stated that Nelson should create the trash area in the indent. Chair Albers then closed the public hearing at 7:49 p.m. and brought it back to the board for further discussion. Ackman stated that he recalled working on this ordinance in the past and stated that the formula was created with added greenspace. Ackman stated that staff might want to revisit the ordinance in the future. Albers suggested maybe to a work session. Parking was mentioned as well.

A motion was made by White and seconded by Temple to recommend approval of the applicant’s variance request as written with the condition that the applicant submit a plan for an enclosed trash area.

ROLL CALL VOTE:

Aye: Ali, Campbell, Faugstad, Temple, White and Chair Albers

Nay: Ackman.

Please contact the City Planning Division (507.334.0100) if you need special accommodations related to a disability to participate this meeting.
The Public Hearings are broadcast live on FCTV.
B. ZTA 11-2020 Establishment of Biodigester Ordinance

Wanberg presented the information to the board stating that Faribault Foods has done a great deal of research on this subject and showed pictures of a similar system. This system would take care of the foul odors on the north side of town by using this biodigester to essentially clean the wastewater before it gets back into the City’s system. By using this process, it would create gases and solids that can potentially be reused for energy in the future as their business grows. Wanberg stated that the Dave Tieman was present on behalf of Faribault Foods to answer any questions. Chair Albers then opened the matter up to the public at 8:18 p.m. and Tieman presented himself for questions. Temple asked if there were any negative effects of this process and Tieman stated there were none and reiterated the possibility of generating energy from this. Chair Albers then closed the public hearing at 8:21 p.m. and brought it back to the board for further discussion. Ackman stated this is a "no-brainer".

A motion was made by Ackman and seconded by Campbell to recommend approval of a Zoning Text Amendment for the Establishment of Biodigester Ordinance.

ROLL CALL VOTE:

Aye: Ackman, Ali, Campbell, Faugstad, Temple, White and Chair Albers

Nay: None.

4. ROUTINE BUSINESS

A. None

5. ADJOURN

A Motion was made by Dave Campbell and seconded by Ali to adjourn the meeting at 8:23 p.m.

ROLL CALL VOTE:

Aye: Ackman, Ali, Campbell, Faugstad, Temple, White and Chair Albers.

Nay: None.
Please contact the City Planning Division (507.334.0100) if you need special accommodations related to a disability to participate this meeting.
The Public Hearings are broadcast live on FCTV.
**Summary:**

Luis Salas, has submitted an application for a parking variance which would allow him to open a hair salon at 1008 Division St. in the C-1, Neighborhood Zoning District. The applicant proposes to remove the garage, pave the driveway and provide parking for two cars (the site plan shows four possible spaces). His application states that there will be one stylist station and two stylists. It is assumed they will be there at alternating time schedules.

The UDO requires two spaces per stylist station and two spaces per 3 employees. Therefore, his proposal requires four spaces either on this subject site or within 300 feet with a written agreement with another owner within this distance.

The building appears to have been originally built as a small neighborhood convenience store to serve this area. Within the last 15 years, the site has been used as a silk screen shop, western store and a trophy shop. There is an apartment in the rear of the building. The driveway is shared with the home to the west.

**Discussion:**
The site plan shows four parking spaces but due to site limitations (narrow deep lot dimensions) the drivers will have little or no turn around space unless they are able to cross the property line to the west and use part of the neighboring lot to turn around, which is not ideal. The applicant has mentioned that he has contacted the business across the street (Fastenal) to share their lot. The store manager has agreed, but he is not authorized to sign an agreement to that effect since he is not the property owner (the store is corporately owned and they have not responded).

The following provides an analysis of the key aspects of the proposal:

A. Consistency with the Comprehensive Plan. The Comprehensive Plan guides the site for low-density residential development. The applicants are proposing to use the property in a manner not consistent with the Comprehensive Plan since the proposal is for a commercial use.

B. Consistency with the Unified Development Ordinance. The proposed use is allowed in the C-1 District, but the site does not have room for off street/on-site parking. Therefore the need for a variance for parking for the change of use to a hair salon.

C. Street Frontage / Driveway Access. The site has frontage on Division Street. It has a shared driveway with the home to the west.

D. Parking and Driveway Surface. The driveway is not paved at present. Section 8-100 requires dustless all-weather hard surface material capable of
carrying a wheel load of four thousand (4,000) pounds. The owners propose to pave the driveway, remove the garage and pave the rear yard for parking. They indicate that they will have two parking spaces on site.

E. Parking Requirement. The UDO requires two spaces per stylist station and two spaces per 3 employees. Therefore, his proposal requires four spaces either on this subject site or within 300 feet with a written agreement with another owner within this distance.

F. Landscaping. The site is fenced in the rear. Due to the size and situation of the property, there is not lot of room to landscape this site.

G. Shoreland Management Overlay District. The site is not located in the Shoreland Management Overlay District.

I. Wetlands. Wetlands are not found within the site area.

J. Required findings for variances.

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

(2) The variance is consistent with the Comprehensive Plan.

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

(4) Unique circumstances apply to the property that 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.

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

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

(7) Economic conditions alone do not constitute practical difficulties.

The Development Review Committee (DRC) reviewed this application on April 7, 2020. The DRC Comments are as follows:
• Site is unusually small and built for commercial use long ago.
• Practical difficulties meeting the UDO requirements are apparent for this use and many other commercial uses.
• Without the variance the site could be used as a small retail or office use (one parking space per every 300 SF of gross floor area required).
• The DRC concludes that the findings for a variance cannot be strictly met in this case.

Applicable Code Sections:

Chapter 2, Article 9, Faribault Unified Development Ordinance (UDO), Administration, regarding variances.

Chapter 8, Article 3, UDO, Off-Street Parking Requirements

Chapter 11, Article 2, UDO, Commercial District requirements for the C-1 Neighborhood Commercial District.

REQUIRED FINDINGS

Section 2-460 of the UDO includes seven (7) required findings as a prerequisite for approval of variances.

The required findings are as follows:

Sec. 2-460. Required findings for variance.

(A) Prerequisites for approval. The City Council shall not vary the regulations of this ordinance, except under Subsection (B) below, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

(1) The variance is in harmony with the general purposes and intent of the City's ordinances.
(2) The variance is consistent with the Comprehensive Plan.
(3) The applicant proposes to use the property in a reasonable manner not permitted by the City's ordinances.
(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.
(5) The variance does not alter the essential character of the neighborhood.
(6) The variance requested is the minimum variance which would alleviate the practical difficulties.
(7) Economic conditions alone do not constitute practical difficulties.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 2011-17, § 3, 10-25-11)

Recommendation:
Staff recommends denial of the requested variance from parking requirements in this case as the application does meet all of the required findings necessary for approval.

**Attachments:**

- Site Maps
- Site Plans
- Application forms and Maps
This map is updated periodically to reflect amendments and should be used for general reference purposes. The map is current as of the date of the map. Specific inquiries should be directed to the Planning Division at (507) 334-0100.
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CITY OF FARIBAULT

RESOLUTION #2020-071

DENY APPLICATION FOR A VARIANCE FROM PARKING REQUIREMENTS FOR
A HAIR SALON AT 1008 DIVISION W

WHEREAS, Luis Salas, (Applicant), on behalf of Angelica Zamarripa (Owner), submitted an application to the City of Faribault requesting approval of a variance from parking requirements for a one station hair salon at 1008 Division St. W (the subject property) and legally described in Exhibit A; and

WHEREAS, City Staff has completed a review of said application for an interim use permit and made a report (VAR 12-2020) to the Planning Commission, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 14th day of April 2020, following proper notice, held a public hearing regarding the Applicant’s request, and following said public hearing recommended that the City Council deny the Applicant’s request based on the following findings:

1. The application does not meet all of the findings required for variances in Unified Development Ordinance Section 2-460 as follows:
   A. The variance application is not consistent with the Comprehensive Plan which guides the site for residential uses. This application if approved would continue commercial uses of the site.

2. There are other uses for the property such as a dwelling or a small office use which may be conducted at the site without need for a variance.
WHEREAS, at a public meeting on April 28th, 2020, the City Council considered the Applicant’s request and concurred with the recommendation and findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

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

Section 1. Denial of Requested Variance. The City Council of the City of Faribault hereby denies the Applicant’s request for parking variances for a hair salon use at the subject site commonly known as 1008 Division W.

Section 2. Authorized Actions of the City. The Mayor, City Administrator, City Staff, and the City’s Consultants are hereby authorized and directed to take any additional steps and actions necessary or convenient in order to accomplish the intent of this resolution.

Section 3. Effective Date. This resolution shall become effective immediately upon its passage and execution without publication.

Date Adopted: April 28, 2020

Faribault City Council

_____________________________
Kevin F. Voracek, Mayor

ATTEST:

_____________________________
Timothy C. Murray, City Administrator
EXHIBIT A:

Legal Description
(to be inserted for recording)
APPLICATION FOR REQUESTED ACTION

Variance

Planning Case #
Filing Fee
Hearing Date

APPLICANT Luis Sales E-MAIL

PHONE (657) 838-1200 (H) (W) (FAX)

APPLICANT ADDRESS 1008 Division St Faribault MN 55021

OWNER (if other than applicant)

PHONE (H) (W) (FAX)

OWNER'S ADDRESS

ADDRESS OF PROPERTY

LEGAL DESCRIPTION 1008 Division St Faribault MN 55021

ACREAGE/SIZE OF PROPERTY

CURRENT ZONING

EXISTING USE OF PROPERTY

PROPOSED USE OF PROPERTY

(INCLUDING NUMBER OF UNITS PER ACRE AND TYPES OF USES IF MIXED USE)

IDENTIFY ALL ADJACENT LAND USES

SIGNATURE OF APPLICANT

DATE 03-19-2020

(MUST SUBMIT PROOF OF PROPERTY CONTROL)

SIGNATURE OF THE OWNER

DATE

(IF OTHER THAN THE APPLICANT)

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

Revised 11/30/2015
VARIANCE
Required Submittals

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

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

☐ Filing fee

☐ SIGNATURE OF APPLICANT ____________________________ DATE ______________________

Planning Case # __________

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

1. In your opinion, is the variance in harmony with the purposes and intent of the ordinance?
   Yes ( ) No ( ) Why or why not?

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

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

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

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

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

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

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

Applicant’s Signature:                     Date:
I am the proud owner of VIP Hair Salon. My establishment has one chair and two hair stylists. We will have two parking spaces.

We specialize in men, women and children’s hair. We offer a variety of hair styles and hair care.
CERTIFICATE OF SURVEY - PROPOSED SITE IMPROVEMENTS

THE EAST 1/2 OF LOT 14, BLOCK 10, FULLERS ADDITION, FARIBAULT, MINNESOTA

LEGAL DESCRIPTION - RICE COUNTY DOCUMENT NO. (brief description)
The East One-Half (E 1/2) of Lot Fourteen (14), in Block Ten (10), in Fullers Addition, Faribault, Minnesota.

X-POST ! X-FENCE

DENOTES REMOVAL

DENOTES IN PLACE SECTION CORNER MONUMENT

DENOTES CAPPED 1/2" IRON PIPE FOUND

DENOTES COMPUTATION START AND END

DENOTES UTILITY EASEMENT

DENOTES PROPOSED PARKING AREA

NOTE:
CONTRACTOR TO VERIFY ALL EXISTING AND PROPOSED ELEVATIONS, DIMENSIONS AND LOCATIONS PERTAINING TO ANY AND ALL CONSTRUCTION PRIOR TO CONSTRUCTION.

NOTE:
CERTIFICATE DOES NOT PURPORT TO SHOW ANY OR ALL APPLICABLE INFORMATION, EXCEPT AS SHOWN; QUESTIONS PERTAINING TO INFORMATION NOT SHOWN ON THIS CERTIFICATE SHOULD BE DIRECTED TO THE APPROPRIATE REVIEWING PARTY.

SURVEY DISCLAIMER:
PROPERTY LINES SHOWN ARE ESTABLISHED FROM EXISTING OCCUPATION AND ARE NOT WARRANTED TO BE EXACT. EXTENSIVE SURVEYING IN THIS AREA HAS NOT YIELDED SURVEY GRADE INFORMATION AT THIS POINT. PROPERTY LINES SHOWN ARE TO BE USED FOR REFERENCE ONLY.

NOTE:
BEARINGS ARE ASSUMED AND BASED ON THE NORTHLINE OF BLOCK 10, FULLERS ADDITION, BEING BRG*43°11'13" W.

Certificate Drafted By: B.D.V.

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

BENJAMIN D. VOEGLE, L.S.
MINN LICENSE NO. 49771

PROJECT NO: 14-10-FLR-20
DATE: 01-14-2020
SCALE: 1" = 20'
SHEET SIZE: 8.5 X 11

PARCEL OWNER: Angeles Simmons
1068 Division PRT
Faribault, MN 55021

PARCEL ID: 107.00

86.1 SQ. FT.
85.9 SQ. FT.

62.50

01-14-2020
Case Numbers and Requests: PFP, CUP & VAR 08-2020 Preliminary and Final Plat for Cashin Addition; a Conditional Use Permit to construct a 20 unit apartment building; and Variances from wetlands buffer and setback requirements in the C-2 Highway Commercial District,

Applicant: Rick Cashin Construction, Inc.

Applications: 1. Preliminary and Final Plat Approval of Cashin Addition 2. Conditional Use Permit for Apartments in a C-2 District 3. Variances from Wetlands Buffer and Setbacks

Location: 2805 Cardinal Avenue

Deadline for Council Action: May 13, 2020 Unless Extended by the City

Staff Recommendation: Approval of requested applications subject to conditions

From: Peter J. Waldock, AICP, Planning Coordinator

Summary:

Bob Mickelson, of ISG, on behalf of Rick Cashin, Rick Cashin Construction Co. LLC the property owner/developer, have submitted applications for Preliminary and Final Plat Approval and for a Conditional Use Permit for an apartment in a commercial district. The applications are for a two lot commercial subdivision of an 18.4-acre parcel. The subdivision creates two apartment lots and an Outlot. This zoning district requires a CUP for apartments.

The plan includes two, 2-story, buildings, each has 20 units. The buildings have slightly different footprints/designs. The site will have a 20-stall garage structure and a surface parking lot. The development will be done in two phases. The first phase will be on Lot 2, Block 1. It includes a 20-unit apartment building, 42 surface parking spaces and the 20-stall garage.

The site is zoned C-2 Highway Commercial District. The property has varied topography. It has wetlands including a pond. There is an existing homestead on the site that will be removed during construction of this project. Surrounding uses include the DNR offices to northeast along 30th St. NW, offices to the southwest across Cardinal Ave., Offices to the northwest on the adjoining lot. Residential uses are to the southwest across 30th St NW.
Discussion:

The site is affected by wetlands area. The applicant is in the process of providing a wetlands delineation report for the site, but due to winter conditions, cannot complete the delineation until wetland plant growth resumes this spring. The site plans show the 40’ buffer and 15’ setback required for a high quality wetland, measured from the water’s edge. Medium and low quality wetlands have lower buffer widths. If the wetland is found to be a medium a 25’ buffer will apply, and if a low quality wetland, then a 15’ buffer will apply.

It is noted that the trash enclosure and garage encroach into the 40’ buffer for a high quality wetland. The future phase apartment building on Lot 1, Block 1, encroaches into the required 15’ setback from wetlands buffer, but does not encroach into the 40’ wetlands buffer for a high quality wetland. Otherwise, the site plans appear to meet development requirements for this use in this district.

The drive area in the parking lot is 20’ wide and designated for one-way traffic. This meets code standards, but may feel narrow to drivers with full size pickup
trucks. The plan has shared driveway along the common lot line between lots 1 and 2. The City has approved these in other plans (such as the Crossroads Building site / Faribault Crossroads subdivision) with private driveway / cross access easements. This can be a condition of approval of the CUP and subdivision as needed. Additionally the future phase development (on Lot 1) will depend on shared parking provided in the first phase (on Lot 2). This also will need to be addressed in the CUP and likely in the development agreement as well.

PRELIMINARY AND FINAL PLAT

The following provides an analysis of the key aspects of the proposed plat:

A. Consistency with the Comprehensive Plan. The Comprehensive Plan guides the site for commercial development. The applicants are proposing to use the property in a manner consistent with the Comprehensive Plan as this use is allowed in commercial zoning districts with a CUP.

B. Consistency with the Unified Development Ordinance. The proposed subdivision is zoned C-2 Highway Commercial District. The proposed apartment use and lot dimensions on the preliminary and final plats are consistent with the requirements for lots in this District.
The UDO wetlands buffer and setback requirements will not be met by this site. Variances should be considered in this case. It is recognized that the large size and shape of the wetlands on this site provide a practical difficulty in developing the site for a reasonable use.

<table>
<thead>
<tr>
<th>LOT REQUIREMENTS</th>
<th>Minimum Required</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Area</strong></td>
<td>20,000 square feet</td>
<td>Lot 1, Block 1 = 52,707.6 SF</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lot 2, Block 1 = 58,370.4 SF</td>
</tr>
<tr>
<td><strong>Lot Width</strong></td>
<td>100 feet per lot</td>
<td>Lot 1, Block 1 = 205’ on Cardinal Avenue</td>
</tr>
<tr>
<td><strong>Lot Depth</strong></td>
<td>N/A</td>
<td>Lot 2, Block 1 = 318’ on Cardinal Avenue, and 216’ on 30th St. NW</td>
</tr>
<tr>
<td><strong>Setbacks</strong></td>
<td>25’ Front and Corner side</td>
<td>25’ Front and Corner Side</td>
</tr>
<tr>
<td></td>
<td>10’ Side and Rear</td>
<td>10’ Side and Rear</td>
</tr>
<tr>
<td><strong>Parking Setbacks</strong></td>
<td>10’ front</td>
<td>10’ on 30th St NW and Cardinal Avenue.</td>
</tr>
<tr>
<td></td>
<td>5’ side</td>
<td>The site has a shared drive between lots</td>
</tr>
</tbody>
</table>

**AREA TABLE:**

<table>
<thead>
<tr>
<th>Lot 1, Block 1</th>
<th>Lot 2, Block 1</th>
<th>Outlot A</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.21 acres</td>
<td>1.37 acres</td>
<td>15.86 acres</td>
<td>18.44 acres</td>
</tr>
</tbody>
</table>

C. Shoreland Management Overlay District. The site is not located in the Shoreland Management Overlay District.

D. Wetlands. Wetlands are found in the subdivision site area. Due to the winter season, an updated delineation is not available. The Plat shows the assumed boundary based on apparent water level of the pond. It is noted that the garage and the trash enclosure appear to encroach into the wetland buffer.
and the required wetland setback. A current delineation will be needed prior to recording the plat. The new delineation will likely change the boundary from is now depicted on the plats. A variance from wetlands buffer and setback requirements are needed to develop the site as proposed. Since the wetland boundary is likely to change the variance resolution will need to provide flexibility in that regard. It is not likely that the wetland boundary will change so drastically that the structures will encroach into the wetland itself. In any event, the structure cannot be permitted to encroach into the delineated wetland area.

E. Steep Slopes: The site is sloped, but it is not affected by steep slopes as defined by the Unified Development Ordinance.

F. Dedicated street right-of-way. The proposed subdivision fronts on Cardinal Avenue which will be used for access. Frontage on 30th St. NW will not be used for access to the site. The property backs to Interstate 35.

G. Block Lengths: This section is not applicable as no public street extensions are proposed.

H. Drainage and utility easements. The proposed plat provides perimeter drainage and utility easements of ten feet front and five feet side as required by the City subdivision regulations.

I. City Utilities. The subject property is served with City Utilities along 30th Street NW and along Cardinal Avenue.

J. Parkland dedication. Parkland dedication is required for this plat. The Park Board has determined that no land dedication is required in this case. A parkland dedication fee in lieu of land of $3,960 will be required in accordance with Sec. 15-

K. Development agreement. Sec. 15-340 states that before an approved final plat is filed with the Rice County Recorder’s office, the subdivider of the land is required to enter into a development agreement with the City. In this case the agreement will need to address the shared driveway and shared parking used on this site. The CUP will similarly address this as well.

L. Other Comments. It is noted that the site will be developed in two phases. The future phase is subject to some changes due market demands at the time of development. There is no set timeframe for development of the future phase (Lot 1). The shared driveway and shared parking lots will also need to
be addressed by the owner in private covenants, cross access easements or other suitable legal documentation recorded for these lots. There is a private access easement for the billboard located along the interstate highway. The easement of 33’ width may require the adjustment of the site plan for the future building on Lot 1. This will need to be confirmed and adjustments made to avoid the building from encroaching into the easement. The easement should be added to the preliminary and final plats.

Applicable Code Sections:

Chapter 2, Faribault Unified Development Ordinance (UDO), Administration, regarding variances, conditional use permits.

Chapter 6, Article 3 UDO, Sec. 6-160 Protection of Natural Features regarding wetlands buffers and setbacks.

Chapter 11, Article 3 UDO, Commercial District requirements for the C-2 Highway Business District.

Chapter 15, Article 3 UDO, requirements and procedures for Preliminary Plats.

Chapter 15, Article 4 UDO, requirements and procedures for Final Plats.
REQUIRED FINDINGS

Section 2-300 of the UDO includes eleven (11) required findings as a prerequisite for approval of conditional use permits.

The required findings are as follows:

**Sec. 2-300. Required findings for conditional use permits.**

The City Council shall make each of the following findings before granting a conditional use permit:

1. The conditional use will 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.

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.

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

5. The conditional use 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.

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.

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.

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.

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.

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

Section 2-460 of the UDO includes seven (7) required findings as a prerequisite for approval of variances.

The required findings are as follows:

**Sec. 2-460. Required findings for variance.**

(A) **Prerequisites for approval.** The City Council shall not vary the regulations of this ordinance, except under Subsection (B) below, unless it makes each of the following findings based upon the evidence presented to it in each specific case:

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

2. The variance is consistent with the Comprehensive Plan.

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

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

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

(7) Economic conditions alone do not constitute practical difficulties.

(Ord. No. 99-20, § 1, 11-23-99; Ord. No. 2011-17, § 3, 10-25-11)

Section 15-130 of the UDO includes five (5) required findings as a prerequisite for approval of preliminary plats and Section 15-210 of the UDO includes three (3) required findings as a prerequisite for approval of final plats.

The required findings are as follows:

Sec. 15-130. Required findings for preliminary plat.

The Planning Commission and City Council shall make each of the following findings before granting preliminary plat approval:

1. The proposed preliminary plat conforms with the requirements of this chapter, the applicable zoning district regulations, and any other applicable provisions of this ordinance, subject only to acceptable rule exceptions.

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

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.

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

5. All submission requirements have been satisfied.

Sec. 15-210. Required findings for final plat.

The Planning Commission and City Council shall make each of the following findings before granting final plat approval:

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

2. The plat conforms to all applicable requirements of this ordinance, subject only to approved rule exceptions; and

3. All submission requirements have been satisfied.

Requested Actions:

The DRC is asked to review and comment on this matter. Planning staff is recommending approval of the requests subject to conditions related to each application. We will be preparing three separate resolutions regarding this development proposal.

Attachments:
- City Engineer’s Memo
- Site Maps
- Preliminary Plat
- Final Plat
- Site Plans
- Application forms and Maps
TO: Peter Waldock, Planning Coordinator

FROM: Mark DuChene, City Engineer

DATE: March 24, 2020

SUBJECT: Cashin Addition – Preliminary Plat, Final Plat & Site Plan Review Memo UPDATED 4-7-2020

Following are my comments on the Preliminary Plat, Final Plat and Site Plan Review for Cashin Addition. The preliminary and final plat were received 3/6/2020 and are unsigned and undated. The site plans were received 3/13/2020 and are unsigned and dated the same. The site plan submittal also included a surface water management report.

**Preliminary & Final Plat:**

1. A current wetland delineation and MnRAM assessment must be completed and submitted for review. Wetland buffer and setbacks shall be shown per MnRAM assessment and City Code.
2. A conservation easement covering the wetland and wetland buffer areas for the entire plat shall be submitted for review and approval of the City per City Code Sec. 28-231. Developer shall record conservation easement at time of plat recording.
3. A 10-ft drainage and utility easement shall be shown in Outlot A adjacent to the 30th Street NW right-of-way being platted as well as around the adjacent Carlson lot and adjacent to the western property lines.
4. Proposed watermain easement shall be a minimum 20-ft wide.
5. Recommend adjusting the lot lines for Lot 1 so that the entire storm water basin is encompassed on one lot not across the lot line and into Outlot A. Otherwise a easement should be placed over the basin.
6. Copies of cross access agreements and shared parking agreements shall be submitted to the City for review and approval and shall be be recorded at time of plat recording.
7. Current title work for the plat shall be submitted.
8. A stormwater maintenance and operations agreement will be required.

**Site Plan Review**

1. The proposed final plat shall be used as the base file for all sheets showing proposed lot lines and easements. (all applicable sheets)

**Sheet C0-10 to C0-12 Site Details**

1. Tracer wire for water service shall be per City of Faribault trace wire spec.
Sheet C1-10 to C1-30 Erosion Control Plan
1. All perimeter control shall be machine sliced silt fence.
2. Wetland delineation boundary, wetland buffer and wetland buffer setback lines shall be updated once wetland delineation completed (all applicable sheets)
3. A full SWPPP review will be conducted with Building Permit submittal.

Sheet C2-10 Existing Site & Removal Plan
1. Add note 5 – City of Faribault Demolition Permit Required for Structure Demolition
2. Is there a septic system on site? If so note its location and removal.

Sheet C3-10 Proposed Site Plan
1. Denote tip out curb in legend or add note.
2. All driveway entrances onto public streets shall be per the City of Faribault Commercial/Industrial Driveway Standard Detail
3. The side yard building setback is incorrectly shown. It is 10-feet per the zoning code Sec. 11-100.
4. A variance for structure setback is likely needed for trash enclosure location.
5. Proposed parking garage, trash enclosure and Future Phase Building A appear to encroach into wetland buffer and wetland buffer setback areas. This shall be confirmed after wetland delineation and MnRAM assessment is completed and if confirmed a variance will be required to be submitted.
6. The walk on the north side of Proposed Building A should be extended to the curb bump-out and a ped ramp provided.
7. Signage shall be shown indicating “Do Not Enter” and “One Way” traffic to identify the one-way traffic flow as presented.
8. A variance may be needed from the parking lot setback requirements for the common drive aisle along the shared lot line between lots 1 & 2.

Sheet C3-20 Site Utility Plan
1. The flow direction arrows for the sanitary sewer services appear flipped.
2. The existing watermain under the proposed storm water basin shall be pot holed and its depth verified. Plans shall be updated to include labels showing proposed basin bottom elevation as well as top of watermain pipe elevation. Existing watermain may have to be lowered or rerouted pending review of elevation information.
3. If domestic water line is to be separated from fire suppression line at/near the building and not at the ROW an access agreement is required to allow City Utility Staff to enter private property to shut off domestic water line independent of shutting off fire suppression line.
4. City records indicate there are two existing cleanouts on the 8-inch sanitary sewer line that the Proposed Building A is shown to tie into. These cleanouts should be shown and if possible, the Building A service wye should be downstream of the closest cleanout.
5. Water and sewer services must be connected to public utilities in Cardinal Avenue. The sewer service in the western boulevard of 30th Street NW is a private service.
6. Storm sewer design information should be submitted including pipe: size, type, slope and structure rim and invert elevations.

Sheet C4-10 Grading Plan
1. There are many contours that don’t appear to tie into existing contours.
2. Max allowed graded slopes on site are 3:1 (H:V).
3. More existing contour labels should be added to make plan easier to read.
4. Existing contours are very faint and hard to read.
5. Storm sewer pipe and structure information should be added to grading plan.
6. All spot elevations should be reviewed as there are areas where the spot elevations appear incorrect and some areas that appear to have drainage going towards the building. Label all high and low points and identify and emergency overflow elevations for low point structures.
7. The grading plan appears to show the Future Building A (FFE 1023) roughly 9 feet above the retaining wall on the north side. The retaining wall has a top of wall elevation of approximately 1014. Clearly indicate if the entire site will be graded with phase one to finish grade or if an interim grading plan is proposed for this future phase area.
8. Per City Code 28-231 (9) Encroachment into wetland buffer strips and wetlands. All wetland buffer strips and wetlands must be kept free of all structures, including, but not limited to, fences and play equipment and shall stay in an undisturbed state. Patios and decks may encroach up to a maximum of six (6) feet into wetland buffer strip setback areas. Porches shall not encroach into wetland buffer strip setback areas. All structures on a site that are intended to provide access across a wetland (such as boardwalks) are prohibited on a wetland buffer strip or wetland unless a wetland permit is obtained from the Rice County Soil and Water Conservation District. Wet detention facilities may encroach into wetland buffer strips, provided that the amount of the wetland buffer strip encroached upon does not exceed fifty (50) percent of the total area required for such ponding, and provided that the amount of wetland buffer strip encroached upon does not exceed fifty (50) percent of the total area required for the wetland buffer strip with the exception of instances where two (2) cell water quality ponding that is approved by the city is utilized. A variance may be needed.
9. An aquatic safety bench and minimum 8-ft wide maintenance access route to the pond outlet structure is required. Identify emergency overflow location. This area should be defined and stabilized.
10. The pond bottom, NWL and HWL should be labeled on the grading plan.

Preliminary Stormwater Analysis
1. Insitu soil types shall be verified via soil borings. The report indicates that there are HSG soils A (modeled as HSG B) on site that could provide infiltration possibilities. Ground water levels and a double ring infiltrometer test should be determined with the soil borings and a better explanation provided for why the Developer is proposing a wet sedimentation basin as the permanent stormwater management option. A description of the steps used to reach this conclusion should be included explaining what other methods were considered to provide volume reduction as required by the MPCA CSW permit and the City’s MS4 Permit and why those other BMP’s were eliminated from consideration.
Engineering Department Memorandum

TO: Peter Waldock, Planning Coordinator

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

FROM: Mark DuChene, City Engineer

DATE: April 07, 2020

SUBJECT: Cashin Addition- Preliminary & Final Plat and Conditional Use Permit

BACKGROUND

Rick Cashin, on behalf of Rick Cashin Construction, Inc., has submitted a preliminary and final plat application for the Cashin Addition. The site is located in the NW ¼ of Section 24 Township 110, Range 21W and is a plat of a metes and bounds parcel located at 2805 Cardinal Avenue. The site is adjacent to a large wetland complex & I-35 to the north, commercially zoned property to the west and south and residential property & 30th Street NW to the west.

The proposed subdivision is located on land that is currently zoned C-2 Highway Commercial. No rezoning is proposed. There are no proposed public improvements. The proposed improvements are the construction of two 20-unit apartment buildings on two lots. The site currently has one single family home on it.

The proposed development will be completed by:

Owner/Developer: Rick Cashin Construction, Inc.
Surveyor/Engineer: ISG

PLAT

Developer has submitted a preliminary plat and final plat for Cashin Addition and is a platting of a section of land in the NW ¼ of Section 24 Township 110, Range 21W, a metes and bounds parcel located at 2805 Cardinal Avenue

The preliminary and final plat contain two (2) lots and one (1) outlot. The lots are intended to each have a 20-unit apartment building constructed on them and the outlot shall remain as open space primarily encompassing the wetland complex. The plat also dedicates an addition
fourteen (14) feet of public right-of-way adjacent to 30th Street NW. A conditional use permit is required for the construction of residential units within a C-2 district.

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 18.4 acres of land that that has an existing single-family residence and garage on site and a large wetland. The house, garage and related structures will be removed as well as the existing on-site well and septic system which must be capped/removed per applicable local and state regulations. The site generally drains towards the wetland on site which has no defined outlet.

EASEMENTS

Existing Easements
There is an existing twenty (20) foot utility easement (Book 122 M.R. Page 347-348) that crisscrosses the property and contains an existing twelve (12) inch watermain. There is also a private seventy (70) foot easement in favor of NSP for an overhead electric transmission line along the northwestern side of the plat.

Proposed Easements
The proposed plat shows perimeter drainage and utility easements as required by City code on the proposed Lot 1 & 2, Block 1 Cashin Addition final plat. The Final plat shall include drainage and utility easements being a minimum of 10-ft in width when adjoining street lines rear lot lines and being a minimum of 5-ft in width when adjoining side lot lines 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.

STREET AND SITE LAYOUT

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

Cardinal Avenue
The site is north of and adjacent to Cardinal Avenue. Cardinal Avenue is a local street and is constructed as a 32-foot wide, urban roadway and is within a 66-foot right-of-way. Two driveway accesses are shown to connect to Cardinal Avenue. The eastern driveway will be a shared access drive for both lots. A copy of a cross-access agreement/easement shall be required and subject to the approval of the City and must be recorded at the Rice County Recorders office. Driveway entrances shall be constructed to the City of Faribault commercial driveway standards.

30th Street NW
The site is west of and adjacent to 30th Street NW. 30th Street NW is a major collector street and is constructed as a 44-foot wide, urban roadway and is within a 66-foot right-of-way. Due to the fact that 30th Street NW is a major collector, a minimum 80-foot right-of-way is required.
The existing 66-foot right-of-way for 30th Street was dedicated entirely from the adjacent plat to the east and as such, the Developer shall plat the additional required 14-feet of right-of-way for 30th Street NW as part of the proposed plat. No driveway access or other improvements are proposed to 30th Street NW other than a sidewalk connection from the eastern proposed apartment building to the public sidewalk on the west side of 30th Street NW.

PARKS AND TRAILS

Developer shall be responsible for paying parkland dedication as required by City Code of Ordinances. No proposed park land or trails are proposed as part of the development.

UTILITIES

The site is currently served by City water and sewer from mains located in Cardinal Avenue and 30th Street NW. There is an 8-inch sewer in Cardinal Avenue to provide sewer service connections and 8-inch watermain in Cardinal Avenue to provide water service connections. Service connections must be made to the public utilities in Cardinal Avenue. The sewer service in the western boulevard of 30th Street NW is a private service. Developer is responsible for service connections and restoration of disturbed street surfaces as required by City standards including the installation of tracer wire.

CONSTRUCTION ACCESS

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

DRAINAGE, GRADING AND EROSION CONTROL

STORM SEWER

The development includes the construction of private 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.

The development is located within the North Central drainage district as identified in the City’s 2004 Surface Water Management Plan. Stormwater runoff generated within the site currently drains primarily to the wetland basin on site. This wetland basin does not have an engineering outlet and its natural outlet appears to be along the I-35 east ditch and then flows north to an unnamed creek that then flows northeast to the Cannon River.

The proposed site improvements include the addition of an estimated 1.5 acres of new impervious surface. 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 must be incorporated into the final plans. The submitted plans indicated that runoff from the proposed final plat will be collected via storm sewer and discharged into a storm water management basin within Lot 1, block 1. The storm water basin is proposed to then discharge to the wetland on site.

The proposed stormwater basin will be a private basin 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 Recorders office.

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.

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.

**WETLANDS**

There is one wetland located on the site. The wetland must be delineated in accordance with the Wetland Conservation Act (WCA) and approved by the area technical advisory panel (TEP). A copy of the wetland delineation shall be submitted to the City before the final plat can be approved. No disturbance of the delineated wetland area or required buffer strip area may commence without appropriate approvals according to the WCA.

A Minnesota Routine Assessment Method ("MNRAM") must be completed to determine the wetland quality and wetland buffer strip and wetland buffer setback requirements prior to approval of the final plat. The Developer shall be required to provide a conservation easement in favor of the city for protection of the wetlands and wetland buffer strips on the site. The easement must legally and geographically describe the boundaries of the wetlands and wetland buffer strips, wetland buffer strip markers and their locations and prohibit any structures, paving, mowing, introduction of non-native vegetation, cutting, filling, dumping, yard waste disposal, fertilizer application or removal of the wetland buffer strip markers within the wetland buffer strip or the wetland. Prior to issuance of any building permits, the easement document must be recorded in the Rice County recorder’s office along with a duplicate original of the easement document and the wetland buffer strip markers must have been installed.

Any encroachments into the wetland buffer or buffer setback must be eliminated or a variance applied for.

**RECOMMENDATION**
Engineering recommends approval of the preliminary and final plat and conditional use permit, subject to the comments within this report and the following:

- Developer shall update plans and reports consistent with the City Engineer’s memo dated March 24, 2020.
- Developer shall submit updated title work for the property.
- Developer shall enter into a development agreement prior to filing the final plat and issuance of any building permits.
RESOLUTION #2020-067

APPROVE PRELIMINARY AND FINAL PLATS OF CASHIN ADDITION SUBDIVISION
AT 2805 CARDINAL AVENUE

WHEREAS, Bob Michelson, of ISG Consultants (the “Applicant”) on behalf of Rick Cashin Construction Company (the “Owner”), have submitted applications for preliminary and final plat approval of Cashin Addition, at property legally described in Exhibit A:

WHEREAS, City Staff has completed a review of said applications and made a report (PFP, CUP, VAR 08-2020) to the Planning Commission, a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 2nd day of March, 2020, following proper notice, held a public hearing regarding the applications, and following said public hearing made findings and recommended approval of the applications; and

WHEREAS, the City Council, on the 10th day of March, 2020; at a public meeting considered the application; and

WHEREAS, based upon said report, hearing, and recommendation, the City Council hereby finds that approval of the preliminary plat for Cashin Addition is appropriate with the following findings as recommended by the Planning Commission and 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 proposed preliminary plat is consistent with the area and dimensional requirements of lots in the C-2, Highway Commercial District. The preliminary plat is consistent with all other applicable provisions of the Unified Development Ordinance.

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

The City's Land Use Plan guides the subject property for commercial uses. The proposed plat is consistent with the provisions of the Unified Development Ordinance related to C-2 Highway Commercial District.

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 provides for lots that are compatible with other commercial properties in the vicinity.

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 layout of the lots in the preliminary plat are done in a manner consistent with the provisions of the City's Unified Development Ordinance and will be compatible with commercial lots in this area.

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 City Council further finds that approval of the final plat of Cashin Addition is appropriate with the following findings as recommended by the Planning Commission and 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 Applicant prepared the final plat concurrently with the preliminary plat. The Final Plat conforms to the final 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 of the City's Unified Development Ordinance.

3. All submission requirements have been satisfied.

Finding: The proposed final plat adequately addresses the submission requirements as outlined in the City's Unified Development Ordinance; and
NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Faribault that the preliminary plat as shown on Exhibit B and the final plat as shown on Exhibit C for the Cashin Addition are hereby approved, subject to the following conditions:

1. The Owner shall adequately address all items as may be directed by the City Attorney, City Engineer or others with review and approval authority of the City including any plat, or engineer opinions.

2. The Owners shall address the comments and recommendations of the City Engineer as stated in the City Engineering Department Memorandum dated April 7, 2020.

3. The final plat shall be recorded with the Rice County Recorder's Office within twelve (12) Months following City Council approval or it shall be deemed null and void.

4. The final plat shall be submitted in a digital format suitable to the City Engineer when the final plat is forwarded for required City signatures.

5. The Property Owner shall enter into a developer’s agreement with the City prior to recording the final plat and shall satisfy all terms and conditions set forth in the developer’s agreement.

6. Before the approved final plat is filed with the Rice County Recorder's office, all applicable fees must be paid and the Developer must enter into a Developer’s Agreement to the satisfaction of the City Attorney, and satisfy all requirements contained in the Developer’s Agreement.

7. Fee in lieu of land, for satisfaction of the City’s parkland dedication requirements, shall be paid to the City, as required by the City’s Subdivision Regulations Section 15-330 of the Unified Development Ordinance, in the amount of $3,960 based on 4% of the land value of the site determined by the Rice County Assessor for 2019.

8. The Property Owners and Applicant shall submit a current title commitment for the plat and will be subject to any requirements resulting from City Staff’s and the City Attorney’s review of the title work and plat opinion issued for this plat.

9. Prior to delivery of the final plat, the Applicant/Owners shall deposit with the City a cash escrow, performance bond, or letter of credit to guarantee
performance by the Developer. The amount of said surety will be stipulated in the Development Agreement.

10. Development of the site with apartment buildings shall be subject to City approval of a Conditional Use Permit and Wetlands variances associated with this application.

11. The City Administrator, and City Attorney are authorized to take any necessary actions to carry out the intent of this resolution.

**Date Adopted:** April 28, 2020

*Faribault City Council*

________________________

Kevin F. Voracek, Mayor

**ATTEST:**

________________________

Timothy C. Murray, City Administrator
EXISTING DESCRIPTIONS:
(Per Document No. A209849)

Part of the Southeast Quarter of the Northwest Quarter, Section 24, Township 110 North, Range 21 West of the Fifth Principal Meridian, City of Faribault, Rice County, Minnesota, described as follows:

Commencing at the Southeast corner of said Northwest Quarter; thence westerly along the South line of said Northwest Quarter (for purposes of this description bearings are assumed and based on said South line being South 89 degrees 34 minutes 00 seconds West, 544.32 feet to a point in the northwesterly line of 30th Street Northwest and the northwesterly line of McShane Addition; thence northeasterly along said northwesterly line of 30th Street Northwest and northwesterly line of McShane Addition, 46.68 feet to the most easterly corner of Northgate Addition and the point of beginning of the parcel to be herein described; thence continue along said northwesterly line of 30th Street Northwest and said northwesterly line of McShane Addition on the following 2 courses; 1) North 25 degrees 05 minutes 26 seconds East, 40.04 feet; 2) along a tangential curve, concave southeasterly (curve data: delta angle = 10 degrees 57 minutes 31 seconds; radius = 922.52 feet; chord bearing and distance - North 30 degrees 34 minutes 11 seconds East, 176.17 feet), an arc distance of 176.44 feet; thence North 45 degrees 27 minutes 08 seconds West, 205.00 feet; thence North 35 degrees 16 minutes 37 seconds East, 188.00 feet; thence South 53 degrees 51 minutes 25 seconds East, 228.00 feet to a point in said northwesterly line of 30th Street Northwest and said northwesterly line of McShane Addition; thence northeasterly along said northwesterly lines on the following 2 courses; 1) along a non-tangential curve, concave southeasterly (curve data: delta angle = 7 degrees 35 minutes 01 seconds; radius = 922.52 feet; chord bearing and distance - North 53 degrees 30 minutes 16 seconds East, 122.02 feet), an arc distance of 122.11 feet; 2) North 57 degrees 17 minutes 47 seconds East, 206.52 feet to a point in the East line of said Northwest Quarter; thence North 0 degrees 19 minutes 50 seconds East, 768.55 feet to the Northeast corner of said Southeast Quarter of Northwest Quarter; thence South 89 degrees 41 minutes 45 seconds West along the North line of said Southeast Quarter of the Northwest Quarter, a distance of 691.59 feet to a point in the southeasterly right of way line of Interstate 35; thence southeasterly along said right of way line on the following 2 courses 1) along a non-tangential curve, concave northwesterly (curve data: delta angle = 1 degree 54 minutes 45 seconds; radius = 2964.74 feet; chord bearing and distance = South 40 degrees 29 minutes 24 seconds West, 98.96 feet), an arc distance of 98.97 feet; 2) along a offset spiral curve of increasing radius, concave northwesterly (center line spiral curve data: spiral angle = 3 degrees 00 minutes 00 seconds; length of spiral = 300.00 feet; spiral offset = 100.00 feet), offset spiral chord bearing and distance = South 43 degrees 26 minutes 12 seconds West, 305.20 feet to the most northerly corner of said Northgate Addition; thence easterly and southerly along the northerly and easterly lines of said Northgate Addition on the following 6 courses; 1) South 68 degrees 20 minutes 00 seconds West, 340.00 feet 2) South 45 degrees 00 minutes 00 seconds West, 230.00 feet; 3) South 3 degrees 00 minutes 00 seconds West, 175.00 feet; 4) South 36 degrees 51 minutes 38 seconds West, 155.64 feet to a point in the northeasterly line of Cardinal Avenue; 5) southerly along a non-tangential curve, concave westerly (curve data: delta angle = 46 degrees 25 minutes 15 seconds; radius = 60.00 feet; chord bearing and distance = South 12 degrees 1 minutes 47 seconds East, 47.29 feet), an arc distance of 48.61 feet; 6) South 45 degrees 27 minutes 08 seconds West, along said northeasterly line of Cardinal Avenue, 523.23 feet to said point of beginning.
WHEREAS, Rick Cashin Construction Company (Owner) is requesting a variance from requirements of the Unified Development Ordinance, Sec. 6-160 regarding wetlands buffer and setback requirements at 2805 Cardinal Avenue (PID# 18.24.2.75.001), legally described in Exhibit A, and

WHEREAS, City Staff has completed a review of the application and made a report pertaining to said request (PFP, CUP, VAR 08-2020), a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 20th day of April, 2020, following proper notice, held a public hearing regarding the request, and following said public hearing made findings and recommended that the City Council approve the request; and

WHEREAS, the City Council, on the 28th day of April, 2020 at a public meeting considered the request; and

WHEREAS, 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 of Faribault, Unified Development Ordinance as follows:

1. The variance is in harmony with the general purposes and intent of the City's ordinances.
The Planning Commission finds that the proposed variance is in harmony with the general purposes and intent of the City’s Ordinance by permitting a reasonable development on the subject property that maintains as much separation from the wetlands as is practical at this site due to the layout and parcel configuration.

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

   The proposal is consistent with the Comprehensive Plan objective to provide for residential apartment uses in the City.

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

   The proposed use of the site, is a use permitted in this zoning district with a conditional use permit approval. The unique shape of the parcel, along with the large area of the lot affected by wetlands makes this request reasonable to grant relief from wetlands setback and buffer requirements.

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 Planning Commission finds that the unique shape of the parcel, the large wetlands and pond area on site and the location adjoining an interstate highway create circumstances that do not apply generally to other properties in the City.

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

   The proposed variances if granted will not alter the existing character of the neighborhood.

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

   The proposed building designs and setbacks optimize the space available on the property in light of its existing conditions.

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

   Economic conditions are not the sole factor in this application.
WHEREAS, the City Council concurs with all of the findings of the Planning Commission as stated in the above recitals and hereby makes the identical findings.

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

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

Section 2: Approval of the Variance. Variances from the requirements of the Unified Development Ordinance, Sec. 6-160 regarding wetlands buffer and setback requirements at 2805 Cardinal Avenue (PID# 18.24.2.75.001), according to the Site Plan provided as Exhibit B, is hereby approved subject to conditions as set forth in Section 3 of this resolution. Said approval is based on the foregoing recitals, which are incorporated herein by reference, and constitute the findings of the City Council in accordance with Section 2-460 of the City of Faribault, Unified Development Ordinance.

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

1. The site must be developed in a manner consistent with the site plan attached as Exhibit B with this resolution.
2. The Development Review Committee is authorized to approve site plan revisions that meet the intent of this resolution.
3. The Owner shall complete a wetlands delineation study to confirm the current boundaries of the wetlands on site.
4. The variance granted herein shall not authorize encroachment into the wetlands without a mitigation plan approved by the City and Rice County Soil and Water Conservation District.
5. This approval is only for the zoning code variances specified in Section 2 above and shall not waive or grant exceptions from State and City Building and Energy Code requirements.

Section 4: This resolution shall become effective immediately upon its passage and without publication.
Date Adopted: April 28, 2020

Faribault City Council

__________________________
Kevin F. Voracek, Mayor

ATTEST:

__________________________
Timothy C. Murray, City Administrator
Exhibit A
Legal Description

Lot 1 and Lot 2, Block 1, Cashin Addition, City of Faribault, County of Rice, State of Minnesota.
CITY OF FARIBAULT

RESOLUTION #2020-069

APPROVE A CONDITIONAL USE PERMIT FOR A MULTI-FAMILY DWELLING IN THE C-2 HIGHWAY COMMERCIAL DISTRICT AT 2805 CARDINAL AVENUE

WHEREAS, Rick Cashin Construction Company (Owner) is requesting a Conditional Use Permit for Multi-Family Dwellings in a C-2 Highway Commercial District at 2805 Cardinal Avenue (PID# 18.24.2.75.001), legally described in Exhibit A, and

WHEREAS, the Owner has submitted plans for construction of two 20 unit apartment buildings on the subject site with the building on Lot 2, Block 1 of Cashin Addition to be built at this time, and the second 20 unit building (on Lot 1, Block 1 of Cashin Addition) to be constructed at an undetermined future date, and

WHEREAS, City Staff has completed a review of the application and made a report to the Planning Commission pertaining to said request (PFP, CUP, VAR 08-2020), a copy of which has been presented to the City Council; and

WHEREAS, the Planning Commission, on the 14th day of April 14, following proper notice, held a public hearing regarding the request, and following said public hearing made findings and recommended that the City Council approve the request; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of the requested conditional use permit based on the following findings as required by Section 2-300 of the City of Faribault, Unified Development Ordinance as follows:

1. The conditional use will not be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare.
The development of the site with apartment buildings is compatible with other uses in the area and in this District and will help address an identified need for multi-family housing in the City.

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.**

   The proposed improvements will help will be sensitive to the adjoining wetlands area will compliment other uses 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.**

   The development is designed to be compatible with structures in the area. The operation of an apartment building in the District meets a need at this location and this use is compatible with surrounding and nearby uses.

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

   The City has an immediate need for additional multi-family housing and the apartment development at the site is therefore necessary to meet the City's needs and will not impose hazards or disturbances on neighboring properties in the area.

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

   The redevelopment of this site with a market rate apartment building as proposed will not be a detriment to property values in the area.

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.**

   The site has adequate capacity for public utilities, street capacity and access. There is sufficient police and fire protection levels in place for this use and it will not generate a need for further City services, or additional schools.

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.**

   There are sufficient public facilities in place for this use and it will not generate a need for further City services. The development as proposed 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.

   The project design and layout minimizes the traffic congestion both on and off site. There is adequate onsite traffic circulation provided in this design.

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.

   The redevelopment of this site will not result in damage or destruction of natural or historic features.

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.

   The project is designed to meet current land use policies and plans.

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

   The project conforms to applicable regulations of the district and applicable requirements for approval of variances within the ordinance.

WHEREAS, the City Council, on the 28th day of April, 2020 at a public meeting considered the request; and

WHEREAS, the City Council concurs with all of the determinations and findings of the Planning Commission as stated in the above recitals and hereby makes the identical determinations and findings.

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

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

Section 2: Approval of a Conditional Use Permits. As authorized in Section 2-290 of the City of Faribault Unified Development Ordinance and in accordance with the required findings listed in Section 2-300 of the City of Faribault, Unified Development Ordinance, as stated in the recitals above, a conditional use permit for construction of two-new 20 unit apartment buildings, in the C-2 Highway Commercial District as requested by the Owner for the subject site at 2805 Cardinal Avenue in accordance with plans attached as Exhibit B (site plan) and Exhibit C (façade plan) and approved by the City Council.

Section 3: Conditions of Approval. As authorized in Section 2-310 of the City of Faribault, Unified Development Ordinance, the following conditions of
approval are deemed necessary by the City Council to mitigate adverse impacts associated with the conditional use, to protect neighboring properties, and to achieve the objectives identified in City ordinances are as follows:

1. Construction and Design shall result in the minimum necessary encroachment into the wetlands buffer as approved in a separate variance application.

2. The Owner shall provide a cross access and shared parking easement or covenants applicable to Lot 1, and Lot 2, Block 1 of Cashin Addition. This easement/covenant shall continue in perpetuity with the land.

3. The Owner shall provide the City with copies of all private access easements and agreements regarding access to the Billboard on site as they may affect the site plan. The Owner’s site plan shall reflect the rights granted by this private access easement/agreement.

4. The development of the site shall conform to the provisions of the variance approves from wetlands buffer and setback encroachments at the site.

5. Stormwater Management for this project shall be as determined by the City Engineer in accordance with City Ordinance.

6. The City Administrator is authorized to approve plan revisions to carry out the intent of this resolution.

**Section 4. 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 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 5. 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.

Section 6: Effective Date. This resolution shall become effective immediately upon its passage.

[Balance of the page intentionally left blank]
Date Adopted: April 14, 2020

Faribault City Council

Kevin R. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator
Exhibit A
Legal Description

Lot 1 and Lot 2, Block 1, Cashin Addition, City of Faribault, County of Rice, State of Minnesota
Cashin Addition
Zoning and Wetlands Map

Legend

Impervious Surface
ecmn_boundary

This map is updated periodically to reflect amendments and should be used for general reference purposes. The map is current as of the date of the map. Specific inquiries should be directed to the Planning Division at (507) 334-0100.
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NOTES:

1. INSTALL擴大器 MEGALUG 安装 TOP NUT EXTENDER TO 7’ DEPTH ON ALL VALVES WITH OVER-DEPTH GRADE.

GATE VALVE ADAPTOR

BASE FOR USE IN GREEN SPACE.
SEE PLANS FOR SIZE.

SEWER PIPE, SDR 35. AS DRAIN TILE AND SHALL BE TYPE PSM, PVC

TYP GATE VALVE & BOX ADAPTORS, INC.
GATE VALVE ADAPTORS OR
CONCRETE BLOCK.

NOTES:

1. PROVIDE MORTAR FILLETS TO FIT BOTTOM PORTIONS OF PIPE TO DIRECT FLOW TO OUTLET.

2. BRICK & MORTAR PROVIDE A FULL MORTAR BED RING AND TOP OF STRUCTURE & MFRS SEALANT BETWEEN JOINTS CONCRETE ADJUSTING RINGS 3 MIN, 6 MAX W/ MFRS SEALANT BETWEEN RINGS. PLACE

3. WHEN USING A COUPLING BETWEEN THE BOX AND VALVE, INSURE VALVE MOUNTING BEING AT LEAST 10" FROM THE BOX OR弁

4. WHEN REFERRING TO A CURB CATCH BASIN, USE TOP BACK OF CURB ELEVATION.

5. WHEN USED AS A CATCH BASIN AND REQUIRING A RECTANGULAR OPENING, USE 4022 CONCRETE COVER.

STORM DRAIN PIPE

EXCAVATION TO 6” ABOVE PIPE

SANITARY CLEANOUT
WYE OR SADDLE
45° BEND
SEE STORM SCHEDULE FOR CASTING

TRENCH WIDTH

PIPE Ø TRENCH WIDTH

6 0.6 BC
12 1.5 x BC
30 BC + 12” BC + 24” BC + 36” BC + 48”

SANITARY PIPE Ø 45°0’0” TYP.

SANITARY SERVICE TYPICAL

SANITARY CLEANOUT

WYE OR SADDLE

45° BEND

SEE STORM SCHEDULE FOR CASTING
SANITARY SEWER PIPE
GRANULAR BEDDING AS
REQUIRED FOR PVC PIPING
AS SPECIFIED IN THE "CITY
ENGINEERS ASSOCIATION"
SPEC - INCIDENTAL TO
SEWER CONSTRUCTION

COMPACTED
BACKFILL

OD + 24" MAX
12"
OD
6"

NOTES:
GRANULAR BEDDING AND ENCASEMENT FOR SANITARY SEWER PIPES SHALL BE INCIDENTAL TO CONSTRUCTION

PIPE BEDDING
SANITARY SEWER
NTS
SA400
OUTLET STRUCTURE
NTS
SD700

SECTION A-A
PLAN

A
A
PLAN

B
B
SECTION B-B
OUTLET PIPE
FROM POND
CONCRETE WEIR WALL
INVERT ELEV = 1008.50'
TOP OF WEIR ELEV. = 1011.00'
1.60'
FRAME & GRATE (SEE
UTILITY PLAN )
48" DIA.
OUTLET PIPE
FROM STORM
CHAMBERS
INV. ELEV = 1008.50'

4.5" Ø ORIFICE
BOT OF WEIR ELEV. = 1010.10'

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

JERREMY D. FOSS
1. Coordinate location of all utilities (pipes, ducts, conduits, sleeves, footings, etc.) with locations of proposed landscape elements (fences, footings, tree footings, etc.). Contractor shall report any discrepancies to owners’ representative. Prior to continuing work, all existing trees and landscape plantings not noted to be removed.

2. Indicate all construction debris and materials removed to plant growth from planting pits and beds prior to backfilling with planting mix.

3. Lawn areas shall be at least 3’ in width.

4. All plant materials shall be true to their scientific name and size as indicated on the planting schedule.

5. The number of plants drawn on the planting plans and the number of plants in the schedule, the planting plan shall govern.

6. All plant materials shall be true to their scientific name and size as indicated on the planting schedule.

7. Owner reserves the right to reverse quantities to suit business limitations. Contractor’s unit prices shall prevail for any changes in quantities.

8. Any proposed substitutions of plant species shall be made with plants of equivalent growth form, height, branching habit, flower, leaf, color, fruit, and culture, and only after written approval of the owner’s representative.

9. To be in accordance to American Standards for Nursery Stock (A.N.S.) latest edition published by the American Association of Nurserymen, Washington, D.C. Larger sized plant materials of the species listed may be used if the stock conforms to A.N.S.

10. Planting mixture for trees and shrubs shall be per MnDOT Section 3877.

11. Provide river rock mulch and permeable weed barrier fabric as indicated on plan. All planting beds to a depth of 1/4".

12. All plant material shall be guaranteed to be in live and healthy ground condition for one full growing season one year after final installation. Material shall be replaced free of charge with the same species, grade, and species.

13. Planting beds existing shall be 14” steel edging w/1” landscape spine in all areas where planting bed meets lawn areas and between rock mulch and handbag mulch.

14. Contractor is responsible for all damage due to operating fleet inside and outside of the contract limit line. Any areas outside the limit of work to be restored to its original condition at no additional cost to the owner.

15. All root balls on containerized seed shall be installed in the following manner according to MnDOT section 2606. Seeding that all trees protected by container shall be respected and maintained for six (6) weeks or until transplanted or transplanted to minimum depth of 6" through backfill process.

16. Topsoil from a local source with native soil.

17. The topsoil to be set above grade 3”.

18. Mulch 3” layer of shredded hardwood mulch.

19. Conifer / evergreen tree planting detail

   a. Stakes as shown.
   b. Skirted around trunk and, with some looseness, to fill around trunk. Any roots that are scared or broken during planting shall be removed at minimum 3/4” depth of the rootball / container, and remove from the planting pit, 3” layer of mulch, per plans & notes.
   c. Place rootball on undisturbed soil and place stake in planting pit.
   d. A minimum depth of 6” through backfill process.
   e. Examine plant materials to a depth equal to the diameter of the rootball. Mulch area shall then be marked with the direction of the rootball.

20. Shrub planting detail

   a. Stakes as shown.
   b. Skirted around trunk and, with some looseness, to fill around trunk. Any roots that are scared or broken during planting shall be removed at minimum 3/4” depth of the rootball / container, and remove from the planting pit, 3” layer of mulch, per plans & notes.
   c. Place rootball on undisturbed soil and place stake in planting pit.
   d. A minimum depth of 6” through backfill process.
   e. Examine plant materials to a depth equal to the diameter of the rootball. Mulch area shall then be marked with the direction of the rootball.
FARIBAULT PLANNING COMMISSION
WORK SESSION AGENDA

Minn. Stat. § 13D.021 – Meeting by Telephone or Other Electronic Means; Conditions - Minn. Stat. § 13D.021 provides that a meeting of a public body may be conducted via telephone or other electronic means if meeting in a public location is not practical or prudent because of a health pandemic or declared emergency.

Monday, April 20, 2020
7:00 PM (Immediately following Planning Commission Meeting)

1. CALL TO ORDER / ROLL CALL

2. DISCUSSION

3. ROUTINE BUSINESS
   
   A. Next City Council Meeting – April 28, 2020
   B. Summary of EDA Meeting
   C. Next PC Meeting Agenda– Monday, May 4 2020
   D. Joint Planning Commission/City Council meeting on April 21 at 6:00 p.m. to discuss the Comp Plan and other items of mutual interest.

4. ADJOURN