1. Call To Order/Roll Call
   1A. 1A. Revised Agenda With New Meeting Credentials
       Documents:
       05-04-2020 AGENDA V3.DOCX

2. Approve Minutes
   2A. 2. PC Meeting Minutes From 4/20/2020
       Documents:
       2A. 04-20-2020 MEETING MINTUES.PDF

3. Public Hearings
   3A. 3A. VAR 12-2020 Luis Salas Re Parking
       Documents:
       3A.VAR 12-2020 LUIS SALS VIP SALAN PARKING PC MEMO V3.PDF

4. Routine Business

5. Work Session
   5A. Work Session Agenda
       Documents:
       05-04-20 WS AGENDA.PDF

6. Adjourn
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: 86705921262#
2. Videoconference to join at the time of the public hearing: https://us02web.zoom.us/j/86705921262

Monday, May 4, 2020 7:00 PM

1. CALL TO ORDER / ROLL CALL

2. APPROVAL OF MINUTES
   A. Minutes of April 20, 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.

4. ROUTINE BUSINESS
   A. None

5. ADJOURN
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:

Monday, April 20, 2020 7:00 PM

1. Chair Albers called the meeting to order at 7:07 p.m. and a Roll Call was taken. In attendance were Commissioners: Ackman, Ali, Faugstad, Temple, White and Chair Albers. Others present were Dave Wanberg, City Planner; Peter Waldock, Planning Coordinator.

Others present: Luis Salas, 509 Forest Street, Kenyon, MN 55946; and Rick Cashin.


A motion was made by Faugstad and seconded by Ackman to approve the meeting minutes of 4/6/2020.

ROLL CALL VOTE:

Aye: Ackman, Ali, Faugstad, Temple, White, and Chair Albers
Nay: None.

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.

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.
Mr. Waldock presented the applicant’s request for a variance for parking for a hair salon at 1008 Division St W. The UDO requires two parking spaces per stylist station and two parking spaces for three employees. As a result, the applicant will need four off-street parking spaces on or within 300 feet of the building to comply with the UCO. This would also require applicant to pave the driveway and remove the existing garage in the back of the building to accommodate those four spaces. This situation is also unique since the driveway access to the parking has a shared driveway easement with the adjacent property owner. Waldock stated that there has been many retail business in this location in the past. It was also noted that this request does not comply with the comp plan. The DRC reviewed the application in April and did not recommend this property for the use of a hair salon and that the findings for the requested variances cannot be strictly met. Chair Albers then went out to the Commission at 7:17 p.m. and Commissioner Ackman reiterated one chair and two employees. Commissioner Ali then asked Waldock if it fit with the comp plan and Waldock stated that it did not. Chair Albers then opened it up for Public Hearing. Mr. Salas was present and stated that he would like to open it up with two chairs but for right now just one. He told the Board that he really wants to get his business started and then move down town to expand. Chair Albers closed the public hearing and went back to the commissioners for further discussion. Waldock reiterated that the application for the Variance is for only one chair as is what would be allowed. Commissioner White liked the fact that it would be a starter business with the potential to possibly move downtown. Commissioner Ackman expressed concern about the shared driveway. White concurred and Commission White then brought a motion.

A motion was made by White and seconded by Ackman to recommend tabling this matter for another two weeks to allow the applicant to bring forth a signed agreement for the shared driveway and the confirm that the business will have only one chair with the proposed spaces required for this variance.

**ROLL CALL VOTE:**

Aye: Ackman, Ali, Faugstad, Temple, and White

Nay: Chair Albers.

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,

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.
Variances from wetlands buffer and setback requirements in the C-2 Highway Commercial District, located at 2805 Cardinal Avenue.

Waldock presented Mr. Cashin’s plan to put a 20-unit apartment building near a wetland which would require a variance for the buffer and setback requirements. He stated that with the proposed plan, the trash enclosure would mostly be within the buffer. Waldock stated that there is a wetlands delineation report being prepared but that the report has not yet been received due to the weather in that there is a need to wait to see what vegetation will grow around the wetlands to prepare the report. Waldock stated that the standards are more strict according to the City Ordinance on the buffer than the DNR. Waldock stated that the required findings have been met for the project and requested action to vote on each action separately and proposed resolutions have been prepared for each. Chair Albers then opened the matter up for discussion and Commissioner Ackman stated that it would be nice to see the wetlands delineation report but understood the delay. White asked about how many bedrooms the units would have. Chair Albers stated that the developer, Rick Cashin, was present and opened the matter up for public hearing at 7:52 p.m. Mr. Cashin introduced himself and stated that there would be 15 - 2 BR and 5 - 1 BR units and ensured that they would be up to code on all the requirements. Temple asked about whether the dumpsters were enclosed. Cashin stated that it would be enclosed but have an open top to assist the haulers. Ali asked about the price range and Cashin stated it was too early to determine. White was concerned about trash flying into the wetlands. Cashin stated that the plan was flexible and would look into it. White was pleased with the types of units and Cashin stated that he’s had good success with the smaller bedrooms and being right by the freeway. The public hearing was then closed at 8:00 p.m. and Chair Albers brought it back to the commission for further discussion. Temple was concerned about setting a precedence on deviating from the buffers. Cashin did speak in that the plan was designed to slope so that drainage would not drain into the wetlands. Albers felt like this is good to move forward.

A motion was made by White and seconded by Faugstad to recommend approval of Resolution 2020-069 regarding the CUP request as written.

**ROLL CALL VOTE:**

**Aye:** Ackman, Ali, 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.
A motion was made by Ackman and seconded by Temple to recommend approval of Resolutions 2020-067 regarding the Preliminary and Final Plat as written.

**ROLL CALL VOTE:**

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

Nay: None.

A motion was made by Ackman and seconded by Temple to recommend approval of 2020-068 with the condition that since the trash enclosure will be within the wetland setback buffer that it have a cover on it that the site plan approval include a site drainage plan.

**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 Ali and seconded by Temple to adjourn the meeting at 8:51 p.m.

**ROLL CALL VOTE:**


Nay: None.

Respectfully Submitted,

__________________________________________
Kari Casper, Administrative Assistant I

**MINUTES APPROVED:**

__________________________________________
Dave Albers, Chair

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.
FARIBAULT PLANNING COMMISSION
PUBLIC HEARING - MONDAY, MAY 4, 2020 (CONTINUED FROM APRIL 20, 2020)

<table>
<thead>
<tr>
<th>Case Numbers and Requests:</th>
<th>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</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Luis Salas</td>
</tr>
<tr>
<td>Applications:</td>
<td>Variance from Parking Requirements in the C-1 District</td>
</tr>
<tr>
<td>Location:</td>
<td>1008 Division St W</td>
</tr>
<tr>
<td>Deadline for Council Action:</td>
<td>May 19, 2020 Unless Extended by the City</td>
</tr>
<tr>
<td>Staff Recommendation:</td>
<td>Deny the requested variance application</td>
</tr>
<tr>
<td>From:</td>
<td>Peter J. Waldock, AICP, Planning Coordinator</td>
</tr>
</tbody>
</table>

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.

At its April 20, 2020 meeting the Planning Commission opened the public hearing. No one from the public commented during the hearing or prior to the meeting. The Planning Commission discussed the request at some length. The discussion focussed on the small lot size and past uses there. The Commission members generally felt that a small salon with one station would be appropriate similar to a the scale of a home occupation stylist. The matter
was continued to the next meeting to allow the applicant the opportunity to meet with the neighboring owner and work out an agreement for cars to turn around using the shared driveway in back of the house. They asked the applicant to present written permission or agreement with neighbor for a turnaround.

The owner has provided a photo of the written agreement with the neighboring resident. The original was lost in the mail and is being replaced at the time this report was being prepared. Staff has prepared a conditional approval resolution for consideration based on the discussion from the Planning Commission meeting.

**Discussion:**

The site plan shows four parking spaces but do 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. Do 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
RESOLUTION #2020-(VAR12)

APPROVE 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, opened the public hearing regarding the Applicant’s request, and continued the hearing to the meeting of May 4, 2020. Following said public hearing the Planning Commission recommended that the City Council approve the Applicant’s request based on findings as required in Section 2-460 of the Unified Development Ordinance as follows:

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

Finding: The application applies to building originally built as a corner store to serve the neighborhood over 70 years ago and as such the proposed limited commercial use will not be out of character in the neighborhood.

(2) The variance is consistent with the Comprehensive Plan.
Finding: The variance provides for continued neighborhood commercial use of the site.

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

Finding: A one station hair salon is reasonable at this location. It is similar in scope to a permitted home occupation if this building where a dwelling.

(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: A smaller corner store building is unique. This variance allows a re-use of the building. The property conditions contributing to the variance were created by prior owners not the applicant or current owners.

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

Finding: The variance will fit with character of the neighborhood, which has commercial uses across the street.

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

Finding: The variance is the minimum to conduct a hair salon business.

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

Finding: Economic conditions are not a factor in this approval.

WHEREAS, at a public meeting on May 12th, 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: 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 Requested Variances.** The City Council of the City of Faribault hereby approves the Applicant’s request for parking variances for a hair salon with one station, two employees and two off street parking spaces in the rear yard of the property at the subject site commonly known as 1008 Division W subject to the conditions of approval as listed in Section 3 herein.

**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 applicant shall reach a written agreement with the adjoining owners to the west for permission to encroach across the common property line for the purpose of turning cars around while leaving the parking spaces provided in the rear of the subject site.

2. The driveway and parking areas shall be paved.

3. The applicant shall provide a copy of the shared driveway easement or agreement.

4. The applicant shall comply with all other requirements for this business including sign permits, state hair stylist licensing and any other applicable statute or ordinance for this business at this site.

**Section 4. 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 5. Effective Date.** This resolution shall become effective immediately upon its passage and execution without publication.
Date Adopted:  May 12, 2020

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator
EXHIBIT A:

Legal Description

The East One-Half (E 1/2) of Lot Fourteen (14), in Block Ten (10), in Fullers Addition, City of Faribault, Rice County, Minnesota.
To Whom it may concern,

I am the property owner at 40621 West Fairview St, MV 55021. I am in agreement to allow the use of a shared driveway for access to get to parking behind 60621 Fairview St. Parking is only for my stay behind the other property building and not on my property or parked in driveway. Also in agreement as long as the hours of driveway use don’t go beyond business hours of Monday-Friday 6am-7pm. Saturday’s no parking and no use on Sundays. Any questions or concerns please call 507-589-7742

Angela Degroot
City Regent 4-20-20

Frank Cook
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.
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.
APPLICATION FOR REQUESTED ACTION
Variance

Planning Case #
Filing Fee
Hearing Date

APPLICANT  Luis Sales  E-MAIL

PHONE (507) 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.

NOTE:
- 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.
- 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 YET YIELD SURVEY GRADE INFORMATION AT THIS POINT. PROPERTY LINES SHOWN ARE TO BE USED FOR REFERENCE ONLY.

NOTE:
BEARINGS ARE ASSUMED AND BASED ON THE NORTH LINE OF BLOCK 10, FULLERS ADDITION, BEING 89°43'31" 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 DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

BENJAMIN D. VOEGELE, L.S.
MN LICENSE. NO. 49771

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

PARCEL OWNER: Angelica Serena
1006 Division PRT
Faribault, MN 55021
PARCEL ID: 10-36.1-76.092
REVISION 1.0

01-14-2020
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)
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, May 4, 2020

1. CALL TO ORDER / ROLL CALL

2. DISCUSSION

3. ROUTINE BUSINESS
   A. Next City Council Meeting – May 12, 2020
   B. Summary of EDA Meeting
   C. Next PC Meeting Agenda – Monday, May 18, 2020

4. ADJOURN