



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
Deanna Kuennen, CED Director
FROM: Peter Waldock, AICP Planning Coordinator
MEETING DATE: April 9, 2019
SUBJECT: Ordinance 2019-3 Rezoning 1.42 Acres in Outlot B of Bliss Addition from TUD, Transitional Urban Development District to R-1, Single Family Residential Development, North of 515 St. Paul Avenue - Second Reading

Background:

Jeff and Rick Bliss, on behalf of the Avis Bliss Trust have submitted an application to rezone 1.42 acres from TUD Transitional Urban Development to R-1, Single Family Residential District. The proposed rezoning area is being split from Outlot B and added to the adjoining lot on St. Paul Avenue as part of the Bliss Second Addition. The property was originally platted in 2015.

The Bliss Second Addition creates a new 4.02 acre single family lot along St. Paul Avenue for a single family home site. A buyer is seeking to construct one home on the new lot. The rezoning is needed so that the new lot is not located in two different zoning districts. The rezoning will revise the district boundaries to follow the new property lines in the Bliss Second Addition plat.

At its meeting of March 18, 2019, after proper notice, the Planning Commission opened the public hearing and received the report the City Staff which recommended approval of the rezoning application. By a vote of 7-0 the Planning Commission approved the requested rezoning with findings in support of the application subject to approval of the final plat.

The City Council at its meeting of March 26, 2019 received the report of staff and the Planning Commission. By a unanimous vote, the City Council approved the first reading of the ordinance to rezone the subject site as recommended.

Recommendations:

Adopt Second Reading of Ordinance 2019-3 Rezoning 1.42 Acres from TUD, Transitional Urban Development District to R-1, Single Family Residential District at a site northeast of 515 St. Paul Avenue. (4/7 vote to approve)

Motion to approve the summary publication of Ordinance 2019-3 in the Faribault Daily News. (5/7 vote to approve)

Attachments:

- Ordinance 2019-3
- Ordinance Summary for Publication

State of Minnesota
County of Rice

CITY OF FARIBAULT

ORDINANCE 2019-3

**REZONING 1.42 ACRES IN OUTLOT B OF BLISS ADDITION FROM
TUD, TRANSITIONAL URBAN DEVELOPMENT DISTRICT TO R-1,
SINGLE FAMILY RESIDENTIAL DEVELOPMENT,
NORTH OF 515 ST. PAUL AVENUE**

WHEREAS, Jeffery Bliss and Richard Bliss representing the Avis Bliss Trust property owners and applicants, area seeking to rezone a 1.42 acre portion of Outlot B, of Bliss Addition, from TUD, Transitional Urban Development District to R-1, Single Family Residential District to combine the subject site with the adjoining lot fronting on St. Paul Avenue in to develop the resulting parcel as a single family lot. The site is located east of St. Paul Avenue north of 515 St. Paul Avenue, with the rezoning area legally described in Exhibit A and generally illustrated in Exhibit B; and

WHEREAS, City Staff has prepared and presented a report to the Planning Commission regarding this rezoning proposal (RZ 6a-19); and

WHEREAS, the rezoning request is associated with the Bliss Second Addition and is necessary in order for the zoning district boundaries follow the newly established lot lines in this plat; and

WHEREAS, the Planning Commission, on the 18th day of March, 2019, following proper notice, held a public hearing regarding said request; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of the rezoning request finding that the rezoning request is consistent with all of the required findings for rezoning property as required by Section 2-180 of the City's Unified Development Ordinance; and

WHEREAS, the City Council hereby finds rezoning the property legally described in Exhibit A is appropriate with the following findings as required by Section 2-180 of the City's Unified Development Ordinance:

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

Finding: The Land Use Plan guides the subject property for low density residential uses as proposed with an associated subdivision.

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

Finding: The proposed rezoning is in the public interest in that it will provide for single family use as guided by the Comprehensive Plan and as found on adjoining lots in this area.

3. **Criteria: Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of a particular property.**

Finding: Rezoning the subject property to R-1 as proposed is compatible with the adjacent residential and open space uses.

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

Finding: The subject property currently is undeveloped at present. Rezoning the subject property to R-1 will change the zoning boundaries to follow new property boundaries of the Bliss Second Addition.

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

Finding: The rezoning will change the zoning boundaries to follow new property boundaries of the Bliss Second Addition.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Amendment. The Official Zoning Map of the City of Faribault is hereby amended as follows:

1.42 Acres of Outlot B, Bliss Addition north and east of 515 St. Paul Avenue, legally described in Exhibit A, is hereby rezoned from TUD, Transitional Urban Development District to R-1, Single Family Residential District.

Section 2: Official Zoning Map. The Official Zoning Map of the City of Faribault shall not be

republished to show the aforesaid rezoning and clarification, but the City Planner shall appropriately update the Official Zoning Map on file with the City Planning Office for the purpose of indicating the rezoning.

Section 3: Effective Date. This ordinance shall be effective immediately upon its passage and publication according to the Faribault City Charter.

First Reading: March 26, 2019
Second Reading: April 9, 2019
Published: _____, 2019

Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT A

Legal Description

That Part of Outlot B of the Bliss Addition as follows:

Commencing at the northeast corner of Outlot A of the Bliss Addition then 77 Feet east on a bearing of South 89 Degrees 34 Minutes 06 Seconds East, then south on a bearing of North 00 Degrees 25 Minutes 54 Seconds East a distance of 287.75 Feet, then west on a bearing of North 89 Degrees 38 Minutes 57 Seconds East a distance of 360.50 Feet, then northeast on a bearing of North 45 Degrees 00 Minutes 34 Seconds East a distance of 404 Feet to the point of beginning. Containing 1.42 Acres.

Illustrated as follows:

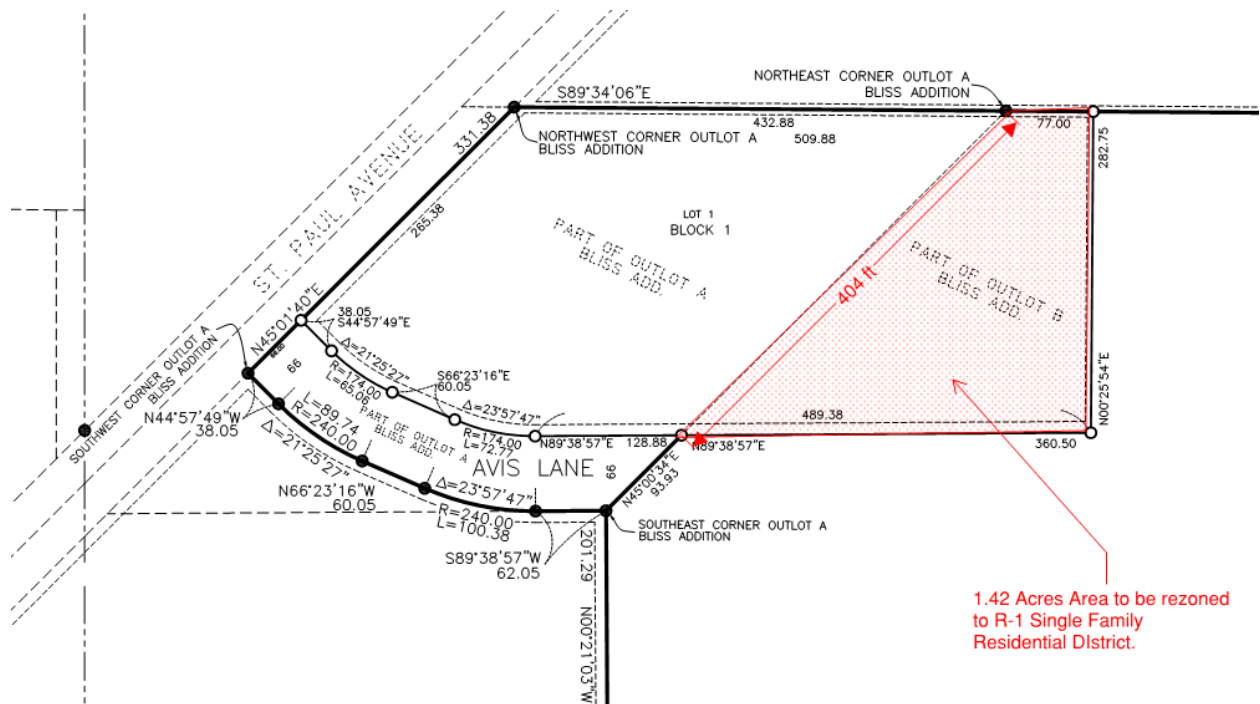


EXHIBIT B

General Illustration of Rezoned Area

