



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
 Deanna Kuennen, C&ED Director
FROM: Peter Waldock, Planning Coordinator
MEETING DATE: August 13, 2019
SUBJECT: Ordinance 2019-13 Rezoning Certain Property
 from I-1 Light Industrial District to CBD Central
 Business District and O Open Space District at 601
 1st Avenue NE – Second Reading

Background:

The City Council has determined that the former Public Works site should be redeveloped as a new market-rate apartment building and public park. The site is zoned I-1 Light Industrial to accommodate the public works use which is no longer needed at this site.

The City is seeking to rezone the site to CBD Central Business District and O Open Space District and is processing a comprehensive plan amendment to reguide the site for Downtown and Open Space Uses. In addition, the Planning Commission is currently considering an application at the site for final plat approval. The final plat application will be presented to the City Council along with the second reading of this ordinance if approved at first reading.

The proposed zoning boundaries will follow the new lot lines established with the proposed subdivision. Development of an apartment is allowed in the proposed CBD Central Business District with a Conditional Use Permit.

The Planning Commission at its meeting of July 15, 2019, after proper notice held a public hearing to consider this request. No one from the public was present to speak on this matter. The City did not receive any comments from residents prior to the public hearing date. The Planning Commission agreed with the findings and recommendations of staff and voted 7-0 to approve the proposed ordinance to rezone the site as shown on the attached zoning map.

The City Council Approved the First Reading of the Ordinance at its meeting of July 15, 2019. No changes have been made to the ordinance since that time.

Recommendations:

1. Approve Second Reading of Ordinance 2019-13 to Rezone Certain Property from I-1 Light Industrial District to CBD Central Business District and O Open Space District at 601 1st Avenue NE (4/7 Vote)
2. Approve Summary Publication of Ordinance 2019-13. (5/7 Vote)

Attachments:

- Ordinance 2019-13
- Ordinance Summary for Publication

**CITY OF FARIBAULT
ORDINANCE No. 2019-13**

**REZONING CERTAIN PROPERTY FROM I-1 LIGHT INDUSTRIAL DISTRICT TO CBD
CENTRAL BUSINESS DISTRICT AND O OPEN SPACE DISTRICT AT
601 1ST AVENUE NE**

WHEREAS, the City of Faribault, applicant and owner, is seeking to rezone Lot 1, Block 1, Lot 1, Block 2, Lot 3 and Lot 4, Block 3 and Outlot A of Heritage Park Second Addition and an adjoining property on Lot 5, Block 20 of Original Town Faribault from I-1, Light Industrial District, to CBD Central Business District and rezone Lot 2, Block 3 of Heritage Park Second Addition from I-1 Light Industrial District to O Open Space District as generally illustrated in Exhibit A; and

WHEREAS, City Staff has prepared and presented a report to the Planning Commission regarding this rezoning proposal (RZ 27-19); and

WHEREAS, the rezoning request is associated with the Heritage Park Second Addition and is proposed to accommodate redevelopment of the former Public Works site in a manner consistent with adjoining uses; and

WHEREAS, the Planning Commission, on the 15th day of July, 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 properties as depicted 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 has been amended to guide the subject property for mixed Downtown 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 an extension of an adjoining zoning district designation as guided by the amended Comprehensive Plan.

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 CBD as proposed is compatible with the adjacent zoning and other downtown 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 under developed at present. Rezoning the subject property to CBD will accommodate the redevelopment of the former public works site.

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 accommodate the redevelopment of a under used site, for a proposed apartment development which will help address increasing demand for more housing.

NOW, THEREFORE, THE CITY OF FARIBAULT ORDAINS:

Section 1: Amendment. The Official Zoning Map of the City of Faribault is hereby amended to rezone Lot 1, Block 1, Lot 1, Block 2, Lot 3 and Lot 4, Block 3 and Outlot A of Heritage Park Second Addition and an adjoining property on Lot 5, Block 20 of Original Town Faribault from I-1, Light Industrial District, to CBD Central Business District and rezone Lot 2, Block 3 of Heritage

Park Second Addition from I-1 Light Industrial District to O Open Space District as generally illustrated in Exhibit A; and.

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.

Public Hearing:	July 15, 2019
First Reading:	July 23, 2019
Second Reading:	August 13, 2019
Published:	August 16, 2019

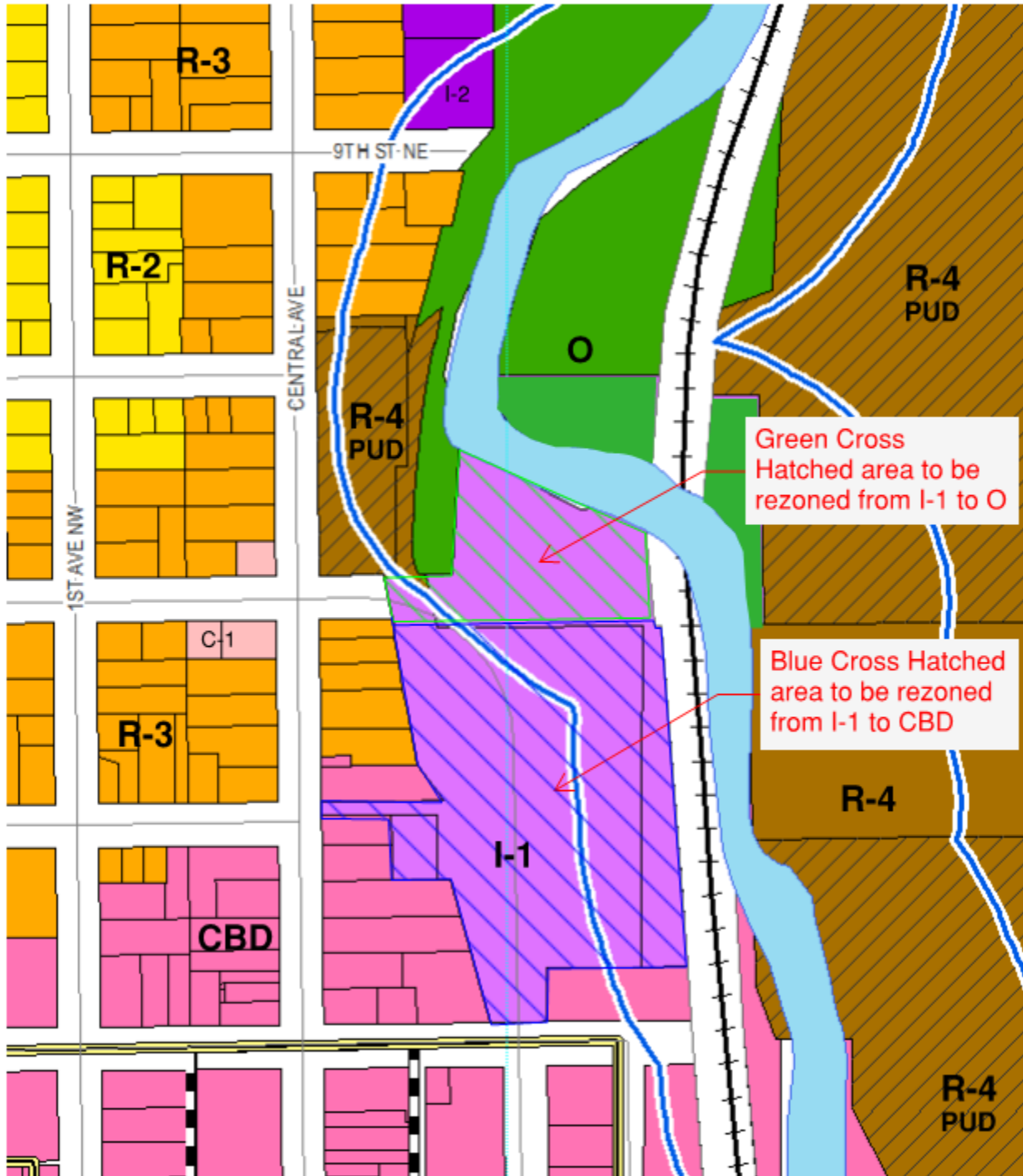
Faribault City Council

Kevin F. Voracek, Mayor

ATTEST:

Timothy C. Murray, City Administrator

EXHIBIT A
Depiction of Rezoning Area



Summary Publication

CITY OF FARIBAULT ORDINANCE 2019-13

REZONING CERTAIN PROPERTY FROM I-1 LIGHT INDUSTRIAL DISTRICT TO CBD CENTRAL BUSINESS DISTRICT AND O OPEN SPACE DISTRICT AT 601 1ST AVENUE NE

On August 13, 2019 the Faribault City Council adopted Ordinance 2019-13 rezoning property at 601 1st Avenue NE from I-1 Light Industrial District to CBD Central Business District and O Open Space District for the purpose of redevelopment of the former City Public Works Garage site. This rezoning also includes property briefly described as Lot 5, Block 20 of Original Town Faribault. A printed copy of the ordinance is available for inspection during regular business hours at Faribault City Hall.

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