



City Council Memorandum

To: Mayor Fasbender and City Council
From: John Hinzman, Community Development Director
Date: May 20, 2024
Item: 1st Reading – Rezoning – Mint Development – Pleasant Drive and South Frontage Rd

Council Action Requested:

Consider 1st Reading of an amendment to Hastings City Code Chapter 155.01 - Official Zoning Map to Rezone property from R-1 Low Density Residence to C-4 – Regional Shopping Center. Upon action by the Council, the 2nd reading, and final adoption would be scheduled for the June 3, 2024 City Council Meeting along with the Comprehensive Plan Amendment.

Approval for a rezoning from residential to commercial requires five of seven Councilmembers

Background Information:

HEDRA and Mint Development executed a Purchase Agreement for sale of the property on March 14, 2024. Mint must obtain all land use approvals from the City prior to the December 31, 2024 deadline for closing. Site Plan and Plat applications providing specific site development details will need to be reviewed by Planning Commission and approved by City Council before the end of 2024.

Financial Impact:

Future commercial development of the site will increase the tax base.

Advisory Commission Discussion:

The Planning Commission voted 5-1 (Teiken nay) to recommend approval of the Rezoning along with the Comprehensive Plan Amendment at the May 13, 2024 meeting. No one spoke during the public hearing. Commissioners discussed the effect of the change on adjacent residential homes, screening of trees, and lighting from new development.

Attachments:

- Ordinance Amendment
- Planning Commission Staff Report – May 13, 2024

1st READING DRAFT

ORDINANCE NO. 2024-____, THIRD SERIES

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
SECTION 155.01, ZONING CODE OF THE CITY CODE HAVING TO DO
WITH:**

OFFICIAL ZONING MAP

BE IT ORDAINED by the City Council of the City of Hastings that approximately 3.94 acres of property generally located southwest of Pleasant Drive and South Frontage Road is rezoned from R-1 Low Density Residence to C-4 Regional Shopping Center. The property is legally described as Public Land identified in BAUERS 2ND ADDITION, Dakota County, Minnesota, except Parcel 259P on MN DOT Right-of-Way Plat 19-89, and except portion platted at HASTINGS LIBRARY ADDITION.

EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

ADOPTED by the Hastings City Council on this 3rd day of June, 2024.

Mary Fasbender, Mayor

ATTEST:

Kelly Murtaugh, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 3rd day of June, 2024, as disclosed by the records of the City of Hastings on file and of record in the office.

Kelly Murtaugh, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (JH)
101 4th St. East
Hastings, MN 55033



Planning Commission Memorandum

To: Planning Commissioners

From: John Hinzman, Community Development Director

Date: May 13, 2024

Item: Mint Development – Comprehensive Plan Amendment and Rezoning – SW Corner of Pleasant Drive and South Frontage Road

Planning Commission Action Requested

Hold a public hearing and recommend action on the following request of Mint Development Company on a 3.94-acre property located at the southwest corner of Pleasant Drive and South Frontage Road owned by the Hastings Economic Development and Redevelopment Authority (HEDRA):

- 1) **Comprehensive Plan Amendment** - Change the Future Land Use Map designation of “Medium Density Residential” to “Commercial”
- 2) **Rezone** property from R-1 Low Density Residence to C-4 Regional Shopping Center

BACKGROUND INFORMATION

Plans for Development

Specific plans for development will be submitted at a later date. A conceptual plan has been included in the packet to provide context on future development.

Purchase Agreement

HEDRA and Mint Development executed a Purchase Agreement for sale of the property on March 14, 2024. Mint must obtain all land use approvals from the City prior to the December 31, 2024 deadline for closing. Site Plan and Plat applications providing specific site development details will need to be reviewed by Planning Commission and approved by City Council before the end of 2024.

Comprehensive Plan

The property is currently guided Medium Density Residential within the 2040 Comprehensive Plan. A request to amend the Comprehensive Plan to reguide the land to Commercial has been submitted with this application. The proposed amendment would be consistent with the intended use as a retail facility.

Zoning

The property is currently zoned R-1 Low Density Residence. A request to rezone the property to C-4 Regional Shopping Center has been submitted with this application. Retail and service establishment are a permitted use within the C-4 Zoning District.

Difference between the Comprehensive Plan and Zoning

The Comprehensive Plan serves as a guiding document for future land use for the next 20 years and includes a Future Land Use Map identifying desired land uses. The Zoning Ordinance is the legal mechanism for regulating land use and includes the zoning map which identifies zoning districts and permitted uses. The Future Land Use Map of the Comprehensive Plan is used to guide decisions on rezonings.

Existing Condition

The existing site sits approximately 15-25 feet below the elevation of surrounding properties and contains a stormwater basin. Existing stormwater flow and future stormwater needs established through development would both need to be accommodated as part of the future site plan application. Trees buffer the site to the west and south.

Adjacent Zoning and Land Use

The following land uses abut the property:

Direction	Use	Comp Plan District	Zoning District
North	South Frontage Road - Vacant Land - Pleasant Hill Library	Commercial Institutional	PI Public Institution PI Public Institution
East	Pleasant Drive - Westview Mall	Commercial	C-4 Regional Shopping Center
South	12 th Street - Twin Homes	Medium Density Residential	R-3 Medium High- Density Residence
Southwest	McAuliffe Elementary School	Institutional	R-1 Low Density Residence
West	Marketplace Townhomes	Medium Residential Commercial	R-4 High Density Residence

History

The property was deeded as public land to the City of Hastings in 1968. On February 5, 2024 the City Council determined that it did not require the land for public use and transferred the property to HEDRA for future sale and development.

Notification of Adjacent Owners

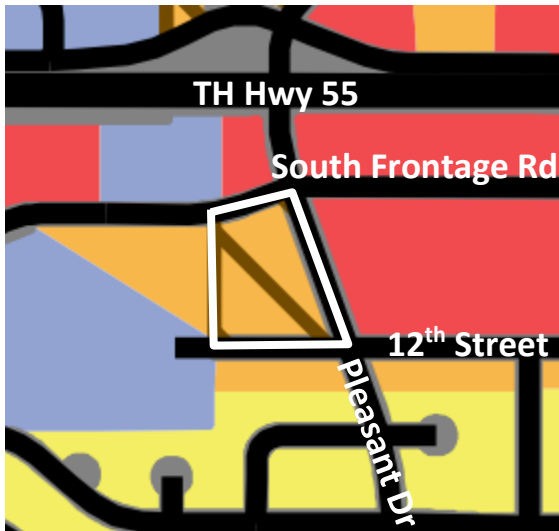
All property owners within 350 feet of the site were provided notification of the meeting. No comments or concerns have been received by City Staff at the time of this report.

COMPREHENSIVE PLAN AMENDMENT

Request

Change the Future Land Use Map designation from “Medium Density Residential” to “Commercial”. The Future Land Use Map is located on page 4-39, [Chapter 4 - Land Use](#).

2040 Comprehensive Plan



Commercial

Commercial is defined within the Comprehensive Plan as:

Businesses providing retail trade or service for individuals or businesses. Also includes office buildings.

Analysis

- The site is undeveloped and abuts Westview Mall
- Areas to the east and north are designated for commercial use.
- The site is near the TH 55 and Pleasant Drive, a controlled intersection.

RECOMMENDATION - Comprehensive Plan Amendment

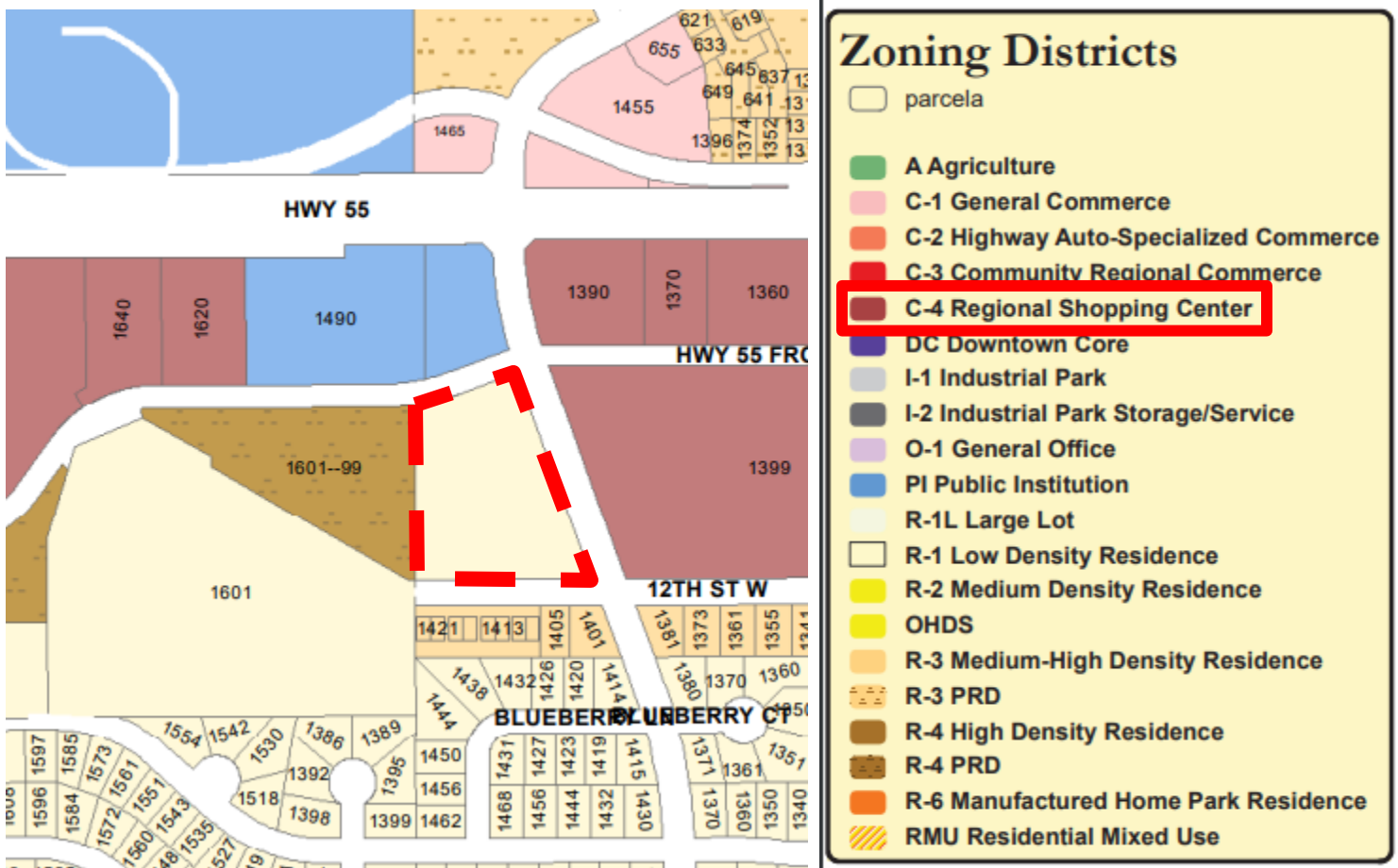
Approval of the Comprehensive Plan Amendment is recommended subject to the following conditions:

- 1) Conformance with the plans submitted with the Planning Commission Staff Report dated May 13, 2024.
- 2) Approval of the Comprehensive Plan Amendment by Metropolitan Council.

REZONING REVIEW

Request

Rezone property from R-1 Low Density Residence to C-4 – Regional Shopping Center. The action serves as an amendment to Hastings City Code Chapter 155.01 - Official Zoning Map.



Uses - C-4 Zoning District

Hastings City Code Chapter 155.32 establishes the following requirements for the C-4 Zoning District:

155.32 C-4 Regional Shopping Center

1. *Intent.* The intent of this chapter in establishing a regional shopping center district is in recognition of future needs for one or more large commercial areas to serve the city and surrounding areas.
2. *Uses Permitted.* All uses permitted in C-3 Community Regional Commerce District.
3. *Uses By Special Permit.*
 1. All uses permitted by special use in the C-3 Community Regional Commerce District and the following.

2. Adult Establishments and Accessory Adult Establishments (as defined in Chapter 114) subject to the following minimum requirements:
 1. Adult Establishments and Accessory Adult Establishments shall be located at least 500 feet away from any residential property;
 2. Adult Establishments and Accessory Adult Establishments shall be located at least 500 feet away from any church, school, library, park and public recreation area;
 3. Adult Establishments and Accessory Adult Establishments shall be located at least 500 feet away from any other Adult Establishment or Accessory Adult Establishments; and
 4. Adult Establishments and Accessory Adult Establishments shall obtain all city licenses required in Chapter 114 before commencing operation.
3. Towers as regulated by §155.07.
4. Temporary auto sales may be allowed to support the activities of a non-profit community organization (such as a fund-raiser for a sports team or school). Each auto dealership may be allowed 1 sale per year, with the sale not to exceed 14 calendar days per year. Each parcel of land in the C-4 District is allowed 1 sale per year. If a business consists of more than 1 parcel, only 1 sale may be allowed.
 1. The following shall be considered in granting a special use permit:
 1. The effect on the total number of parking spaces at the business the sale is held.
 2. The effect of the ingress and egress at the parking lot.
 3. The effect on accessibility of emergency services.
 4. The effect on neighboring businesses or residential areas from an increase in traffic. (Prior Code, § 10.21) Penalty, see §10.99
5. Climate Controlled Storage Facility.
 1. All storage activity must be conducted within a building. Exterior storage, or use of accessory buildings, pods, trailers, and the like shall be prohibited.
 2. No more than 20,000 s.f. of any building shall be utilized for Climate Controlled Storage.
6. Cannabis retailer, edible retailer, medical retailer, and medical cannabis distribution facility that comply with the requirements of city Code Chapter 155.07.J.

155.30 C-3 Community Regional Commerce

1. *Intent.* The intent of this chapter in establishing a community-regional commerce district is in recognition of the existing downtown commercial development and of the need for its future expansions, rehabilitation and redevelopment.
2. *Uses Permitted.*
 1. Commercial establishments including, but not limited to, the following:
 1. Retail and service establishments excluding automobile repair;
 2. Offices;
 3. Entertainment and amusement services; and
 4. Lodging services including hotel and motel.
 2. Public and semi-public buildings;
 3. Private clubs;
 4. Residential dwellings provided they are located above the first-floor level;
 5. Automobile parking lots;
 6. Churches; and
 7. Accessory uses incidental to the foregoing principal uses.
3. *Uses By Special Permit.*

1. Automobile service stations and motor vehicle repair and wash;
2. Small animal clinics, excluding establishments with outside runs and non-patient overnight boarding;
3. Towers as regulated by § 155.07; and
4. Residential dwellings on the first-floor level provided the dwelling is accessory to a commercial use, less than 50% of the first level floor area and is located in the rear of the building with a separate outside entrance. (Prior Code, § 10.20A) Penalty, see § 10.99
5. Dairies and Creameries
6. Brew Pub
7. Brewery Taproom, provided that a minimum 20 percent of the floor area devoted to use as retail sales and a brewery production and distribution area up to 7,500 square feet.
8. Microdistillery with Cocktail Room, provided that a minimum 20 percent of the floor area is devoted to use as retail sales and a microdistillery production and distribution area up to 7,500 square feet.
9. Conversion of existing building space of no greater than 10,000 s.f. into a restaurant, tavern, or lounge per Section 155.09, Subd. F.6.
10. Cannabis retailer, edible retailer, medical retailer, and medical cannabis distribution facility that comply with the requirements in City Code Section 155.07.J.

Analysis

- Rezoning conforms with the proposed Commercial Land Use District of the Comprehensive Plan.
- Westview Mall abuts the property to the east and is also zoned C-4
- The property is near the stoplight of TH 55 and Pleasant Drive a major traffic intersection within the City.

RECOMMENDATION - Rezoning

Approval of the rezoning is recommended subject to the following conditions

- 1) Conformance with the plans submitted with the Planning Commission Staff Report dated May 13, 2024.
- 2) Approval of the Comprehensive Plan Amendment changing the Future Land Use Map designation from "Medium Density Residential" to "Commercial".

ATTACHMENTS

- Site Location Map
- Site Pictures
- Conceptual Plan for Development
- Application

LOCATION MAP



Site Pictures



Looking South from South Frontage Rd



Looking West from Pleasant Dr





#24-18

VIII-07

City of Hastings Community Development Department

Land Use Application

Address or PID of Property: 19-13401-04-101

Applicant Name: MINT DEVELOPMENT CO
Address: 723 S OAKS DR
HASTINGS MN 55033
Phone: 612-499-6095
Fax: _____
Email: ROBO@MINTDEVCO.COM

Property Owner: HEDRA
Address: 101 4TH ST E
HASTINGS, MN 55033
Phone: 651-480-2378
Fax: _____
Email: JHINZMAN@HASTINGSMN.ORG

Description of Request: REQUEST FOR REZONING + COMPREHENSIVE PLAN AMENDMENT TO ALLOW FOR RETAIL DEVELOPMENT. REQUESTING REZONING FROM R-1 TO C-4 REGIONAL SHOPPING CENTER.

If requesting site plan review of multi-family units (three or more attached), are the units intended to be for sale or rental units? N/A

Check Applicable Line(s)	Please Note: All Fees and Escrows are due at time of application.	
<input checked="" type="checkbox"/> Rezone	\$500	<input type="checkbox"/> Minor Subdivision \$500
<input type="checkbox"/> Final Plat	\$600	<input type="checkbox"/> Special Use Permit \$500
<input type="checkbox"/> Variance	\$300	<input checked="" type="checkbox"/> Comp Plan Amend. \$500
<input type="checkbox"/> Vacation	\$500	<input type="checkbox"/> Lot Split/Lot Line Adj. \$75
<input type="checkbox"/> House Move	\$500	<input type="checkbox"/> Annexation \$500 + \$5,000 escrow
<input type="checkbox"/> Prelim Plat	\$500 + \$5,000 escrow	<input type="checkbox"/> EAW \$500 + \$5,000 escrow
<input type="checkbox"/> Site Plan	\$500 + \$5,000 escrow	<input type="checkbox"/> Interim Use Permit \$500

Total Amount Due: \$ 500 ⁰⁰

Make checks payable to City of Hastings.
Most credit cards accepted, excluding escrow payments.

Please ensure that all copies of required documents are attached.

Robert Barse 04/16/24
Applicant Signature Date

[Signature] 4/16/24
Owner Signature Date

ROB BARSE, MANAGING PARTNER
Applicant Name and Title - Please Print

John Hinzman
HEDRA
Executive Director
Owner Name - Please Print

OFFICIAL USE ONLY

File # 24-18
Fee Paid: PAID

Rec'd By: J Hinzman
Receipt # _____

Date Rec'd: 4/16/24
App. Complete: complete

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the city and that I am responsible for complying with all city requirements with regard to this request. This application should be processed in my name and I am the party whom the city should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by city staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the city upon demand, expenses, determined by the city, that the city incurs in reviewing this application and shall provide an escrow deposit to the city in an amount to be determined by the city. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by city personnel to the property for purposed of review of my application and to erect a temporary sign indicating the application proposed.

Signature of applicant Robert Barse Date 9/16/21

Name of applicant Rob Barse Phone 612-499-6095
(Please Print)

Name and address of Contact (if other than applicant) _____

_____ Phone Number

_____ Date