



112 West Washington Avenue

Fergus Falls, MN 56537

Phone: 218-332-5434

e-mail: [building.zoning@ci.fergus-falls.mn.us](mailto:building.zoning@ci.fergus-falls.mn.us)

[www.ci.fergus-falls.mn.us](http://www.ci.fergus-falls.mn.us)

## Zoning Amendment Application

Application fee should be made payable to The City of Fergus Falls upon submittal of completed application. Please complete the application by typing or printing in ink. Use additional paper if necessary.

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### 1. Property Owner Information:

Company name: Fergus Falls Port Authority

Last name: Beck First name: Klara

Address: 112 W Washington Ave City/State/Zip: Fergus Falls MN 56537

Phone number: 218-332-5428 Email address: klara.beck@ci.fergus-falls.mn.us

### 2. Applicant Information: (if different from above)

Company name: \_\_\_\_\_

Last name: \_\_\_\_\_ First name: \_\_\_\_\_

Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email address: \_\_\_\_\_

### 3. Address(es) of Property Involved: (if different from above)

301 S BUSE ST

### 4. Comprehensive Plan Designation: N/A

**5. Zoning Change Requested:** Complete item 5a and/or 5b as appropriate for your application.

#### a. Zoning Map Change:

Existing Designation(s): RA & I2

Proposed Designation(s): R4

**b. Zoning Text Amendment:** Identify which section of the City Code is to be amended and briefly describe how the text is to be changed in light of the intended project.

**6. Reason for Zoning Change:** In approving a request for rezoning a property or amending the zoning text, one or both of the following circumstances must be evident; indicate which of the

following best characterizes the reason that the intended use is not allowed by the existing zoning designation.

*A mistake was made when the existing zoning text or map was approved.*

*Circumstances have changed since the original zoning that now justifies a change.*

**7. Additional Required Information:**

**a. Legal Description and PIN:** Provide the Parcel Identification Number(s) and the complete legal description(s) of the property involved.

**b. Written Narrative:** The narrative should describe in detail the nature of the intended use, why you believe the use is not permitted by the existing zoning, and how the use would be permitted under the proposed rezoning or zoning text amendment. Narratives should also state whether any additional land use applications (e.g., conditional use Permit or variance) would be necessary to accommodate the intended use in compliance with the requirements of the proposed zoning change.

**c. Consultant Fees:** Whenever third party consultants are utilized in the preparation of application materials (e.g., a traffic study) or the City’s review of an application (e.g., traffic study analysis), the applicant shall be responsible for paying the entirety of those costs.

**d. Other Information:** In addition to the written narrative, including but not limited to, a full size site plan, topographic survey landscape plan, grading and drainage plan, exterior building elevation drawings, and other information may also be required if deemed necessary by the Community Development Department.

**8. Signature(s):** By signing below, you attest that the information above and attached is true and correct to the best of your knowledge.

*Property Owner:* Klara Beck *Date:* 4/5/22

*Applicant:* Fergus Falls Port Authority *Date:* 4/14/22

7.

- a. PID 71003500004004, see following pages for legal description(s).
- b. The City of Fergus Falls has been working on the remediation and eventual redevelopment of a former industrial site near historic downtown Fergus Falls since 2016. The site, which produced demineralized whey ingredients for Mid-America Dairymen, Inc. before shifting to ownership by the Dairy Farmers of America, closed in 2002. The dairy plant closure, though a significant blow to the local economy, nevertheless represented a redevelopment opportunity along the Otter Tail River State Water Trail.

Unfortunately, the remediation efforts needed to return the site to a greenfield proved insurmountable to developers, and the site languished until the City, through the auspices of the Fergus Falls Port Authority, successfully negotiated its purchase at a price that reflected the necessary clean-up work. Since that time, the City has successfully applied for and been awarded funds from the Minnesota Cleanup Revolving Loan Program and the Demolition Loan Program. In 2016, the City was also awarded \$600,000 from the Legislative-Citizen Commission on Minnesota Resources (LCCMR) to account for the City's purchase from the Port Authority of approximately 11.57 acres of land abutting the river for the public purpose of preserving and enhancing recreational access to the Otter Tail River and providing connection to several regionally significant area trails.

Visioning efforts through a Downtown Riverfront Master Plan in 2017 indicated a mix of housing as the preferred use of the site, a documented need in Fergus Falls. The Port Authority supports this future use. In order to best position the property for its intended use, the Port Authority requests the site be rezoned R4.

Government Lots 1, 2 and 3 of Section 4, Township 132, Range 43, Otter Tail County, Minnesota lying south of the southerly Right-of-way line of the Northern Pacific Railway nka Burlington Northern Santa Fe Railroad.

EXCEPT THE FOLLOWING TRACTS:

1) A plot 20 by 60 feet in Government Lot 1 of Section 4, Township 132, Range 43, OtterTail County, Minnesota, more particularly described as follows: Starting at the intersection of the Southerly right-of-way line of the Northern Pacific Railway over and across said Lot 1, and the Southerly projection of the East line of Buse Street of the City of Fergus Falls; thence East along said Southerly Right-of-way line of the Northern Pacific Railway a distance of 372.40 feet to the point of beginning; thence Southerly at right angles to said railway Right-of-way a distance of 20 feet; thence Easterly, parallel to said railway Right-of-way a distance of 60 feet; thence at right angles Northerly a distance of 20 feet to the South line of said railway Right-of-way; thence westerly along said railway Right-of-way line a distance of 60 feet to the point of beginning.

2) All that part of Government Lot 3 of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, described as follows: Commencing at the northwest corner of said Government Lot 3; thence on an assumed bearing of South 00 degrees 15 minutes 34 seconds West along the west line of said Government Lot 3, a distance of 640.65 feet to the southerly right-of-way line of the Burlington Northern Santa Fe Railroad, the point of beginning of the land to be described; thence North 81 degrees 57 minutes 44 seconds East along said southerly right-of-way line of the Burlington Northern Santa Fe Railroad, a distance of 762.99 feet; thence South 00 degrees 15 minutes 34 seconds West a distance of 390 feet more or less to the shoreline of the Otter Tail River; thence in a general westerly direction following along said shoreline to said west line of Government Lot 3; thence North 00 degrees 15 minutes 34 seconds East along said west line, a distance of 122 feet more or less to the point of beginning.

LCCMR PARCEL

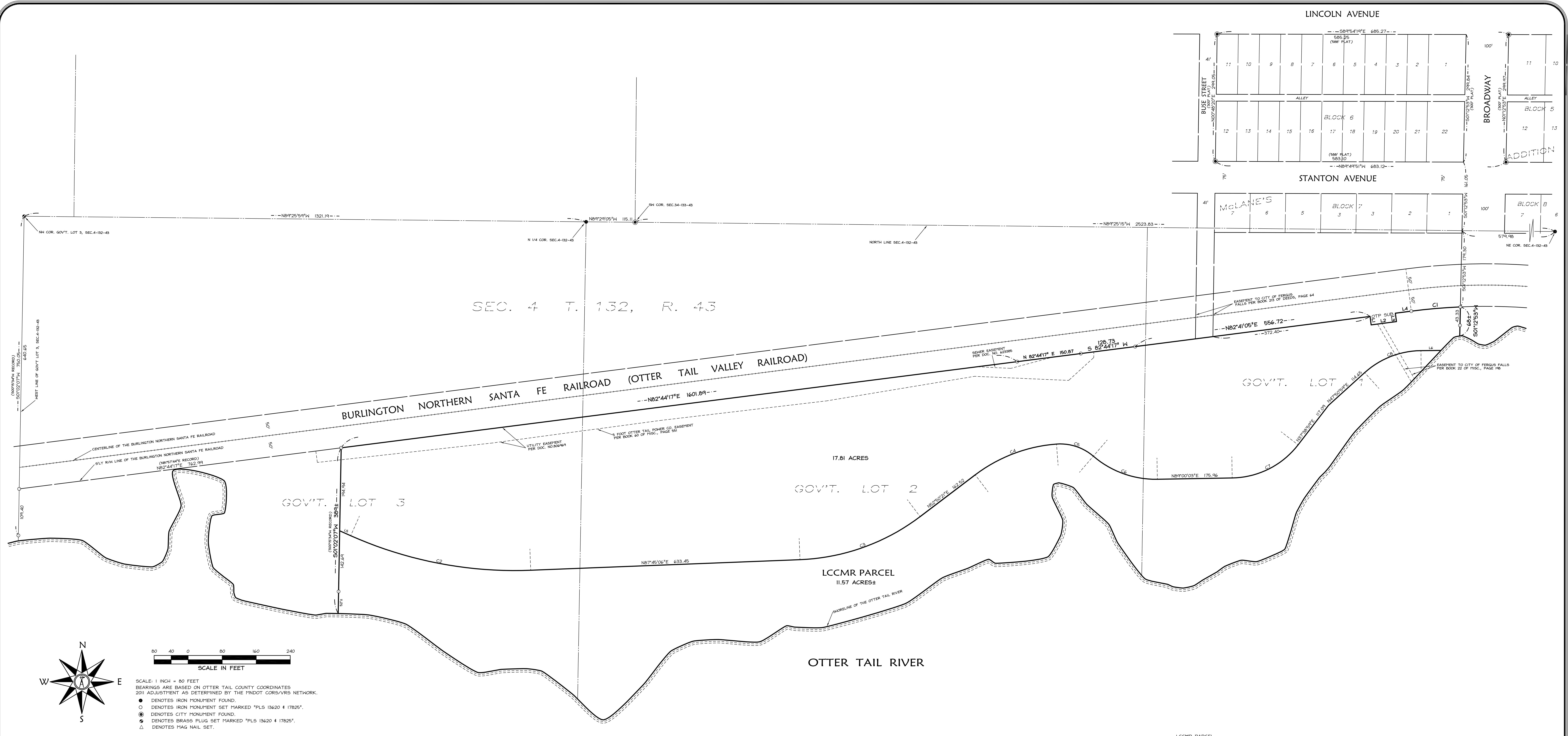
All that part Government Lots 1, 2 and 3 of Section 4, Township 132, Range 43, Otter Tail County, Minnesota, lying easterly of Line A and lying southerly of Line B. Line A is described as follows:

Commencing at the northwest corner of said Government Lot 3; thence South 01 degree 02 minutes 07 seconds West (bearing based on Otter Tail County Coordinates - 2011 adjustment) along the west line of said Government Lot 3, a distance of 640.65 feet to the southerly right-of-way line of the Burlington Northern Santa Fe Railroad; thence North 82 degrees 44 minutes 17 seconds East along said southerly right-of-way line of the Burlington Northern Santa Fe Railroad, a distance of 762.99 feet to the point of beginning of the line to be described; thence South 01 degree 02 minutes 07 seconds West a distance of 389 feet more or less to the shoreline of the Otter Tail River and there terminating.

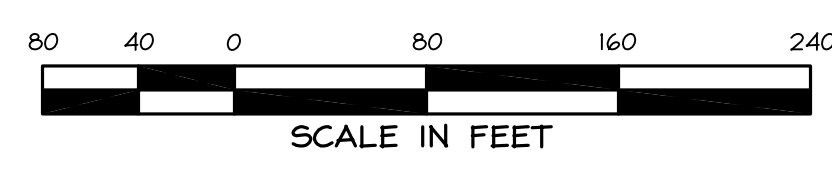
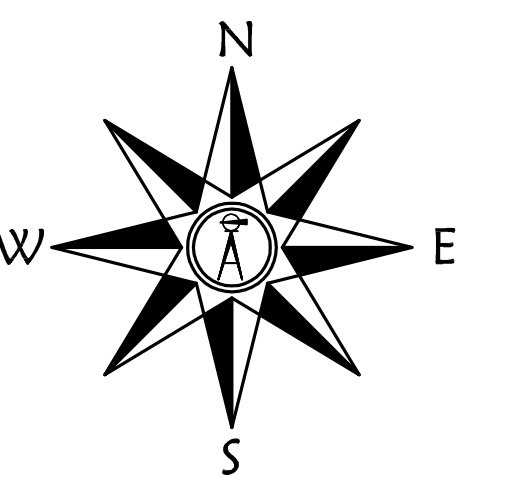
Line B is described as follows:

Commencing at the northwest corner of said Government Lot 3; thence South 01 degree 02 minutes 07 seconds West (bearing based on Otter Tail County Coordinates - 2011 adjustment) along the west line of said Government Lot 3, a distance of 640.65 feet to the southerly right-of-way line of the Burlington Northern Santa Fe Railroad; thence North 82 degrees 44 minutes 17 seconds East along said southerly right-of-way line of the Burlington Northern Santa Fe Railroad, a distance of 762.99 feet; thence South 01 degree 02 minutes 07 seconds West a distance of 194.94 feet to the point of beginning of the land to be described; thence South 66 degrees 02 minutes 05 seconds East a distance of 28.42 feet; thence southeasterly on a tangential curve, concave to the northeast, having a radius of 950.00 feet and a delta angle of 26 degrees 12 minutes 49 seconds, for an arc distance of 434.63 feet; thence North 87 degrees 45 minutes 06 seconds East a distance of 633.45 feet; thence northeasterly on a tangential curve, concave to the northwest, having a radius of 500.00 feet and a delta angle of 34 degrees 54 minutes 45 seconds, for an arc distance of 304.67 feet; thence North 52 degrees 50 minutes 21 seconds East a distance of 162.52 feet; thence northeasterly on a tangential curve, concave to the southeast, having a radius of 361.08 feet and a delta angle of 32 degrees 51 minutes 53 seconds, for an arc distance of 207.11 feet; thence southeasterly on a compound curve, concave to the southwest, having a radius of 119.19 feet and a delta angle of 44 degrees 57 minutes 46 seconds, for an arc distance of 93.53 feet; thence southeasterly on a reverse curve, concave to the northeast, having a radius of 224.92 feet and a delta angle of 41 degrees 39 minutes 57 seconds, for an arc distance of 163.57 feet; thence North 89 degrees 00 minutes 03 seconds East a distance of 175.96 feet; thence northeasterly on a tangential curve, concave to the northwest, having a radius of 200.00 feet and a delta angle of 51 degrees 21 minutes 04 seconds, for an arc distance of 179.25 feet; thence North 37 degrees 38 minutes 59 seconds East a distance of 117.09 feet; thence North 47 degrees 50 minutes 59 seconds East a distance of 114.65 feet; thence northeasterly on a tangential curve, concave to the southeast, having a radius of 200.00 feet and a delta angle of 41 degrees 36 minutes 40 seconds, for an arc distance of 145.25 feet; thence North 89 degrees 27 minutes 39 seconds East a distance of 47 feet more or less to the shoreline of the Otter Tail River and there terminating.

Containing 11.57 acres more less.



SEC. 4 T. 132, R. 43



SCALE: 1 INCH = 80 FEET  
 BEARINGS ARE BASED ON OTTER TAIL COUNTY COORDINATES  
 2011 ADJUSTMENT AS DETERMINED BY THE MNDOT CORS/ARS NETWORK.  
 ● DENOTES IRON MONUMENT FOUND.  
 ○ DENOTES IRON MONUMENT SET MARKED "PLS 13620 & 17825".  
 ⊙ DENOTES CITY MONUMENT FOUND.  
 ⊕ DENOTES BRASS PILE SET MARKED "PLS 13620 & 17825".  
 △ DENOTES MAG NAIL SET.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S07°23'55"E	20.00
L2	N82°41'05"E	60.00
L3	S07°23'55"E	20.00
L4	N82°41'05"E	37.74
L5	S84°22'05"E	26.42
L6	N82°27'39"E	47.2

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING	DELTA ANGLE
C1	182.49	115.62	115.29	S85°23'04"W	4°52'58"
C2	450.00	434.63	430.85	S79°03'30"E	26°22'28"
C3	500.00	304.67	293.88	N107°14'41"E	54°24'49"
C4	361.08	207.11	204.29	S64°16'17"W	32°51'53"
C5	101.18	46.48	46.35	N70°58'53"E	24°57'48"
C6	222.42	63.57	64.48	S70°58'53"E	41°39'57"
C7	200.00	178.25	173.31	N83°19'31"E	51°21'04"
C8	200.00	146.25	142.08	S63°19'31"W	41°36'50"

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF MINNESOTA. DATED THIS 19TH DAY OF APRIL, 2021.

DAVID A. ANDERSON  
 PROFESSIONAL LAND SURVEYOR  
 MINNESOTA LICENSE NO. 13620

CERTIFICATE OF SURVEY FOR:  
**CITY OF FERGUS FALLS**

CONTRACT NO. 130-21	FOLDER 130-21	DRAWN BY LIB/DA	FIELD BOOK ALS-234/7
ENG FILE 130-21	CRD FILE 130-21	CHECKED BY DAA	FIELD CRK DA 4 JK
SEC-TWP-RD 4-132-43	REVISION		DRAWING NUMBER <b>9002</b>