



Planning & Zoning Commission Agenda
Rochester Boards & Commissions - Planning & Zoning Commission
April 12, 2023
6:00 p.m.

Attending and Viewing the Meeting

HYBRID Meeting: In-person at Council/Board Chambers of the Government Center, 151 4th Street SE, Rochester, MN, or via MS Teams.

[Click here to join the meeting](#)

Call in audio only number: 347-352-4853 Conference ID: 591 938 366#
A recording is made available after the meeting on the [City's website](#)

- 1. Open Public Comment Period**
- 2. Call to Order/Roll Call**
- 3. Order of Agenda**
- 4. Consent Agenda**

4.A. Draft Minutes of March 22, 2023

Accepting the minutes and video of the March 22, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

- 5. Reports and Recommendations**
- 6. Public Hearings**

6.A. Vacation Petition CD2023-003VAC by Enclave

Forwarding a recommendation for approval of Vacation Petition CD2023-003VAC by Enclave to vacate a portion of the right-of-way easement for 1st Ave SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester near the site located at 709 1st St SW.

6.B. Conditional Use Permit CD2023-003CUP by Tiffany Prow

Approving Conditional Use Permit CD2023-003CUP for the establishment of a 2,600-square-foot birthing center (Medical Facility) in the R-1 District located at 1134 6th St SW based on city teammates' findings of fact and conditions for approval.

- 7. Other Business**
- 8. Adjourn**



REQUEST FOR ACTION

Draft Minutes of March 22, 2023

MEETING DATE:

April 12, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Consent Agenda

PRESENTER:

Chair

Action Requested:

Accepting the minutes and video of the March 22, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

Report Narrative:

The Minutes are the official record of the Planning and Zoning Commission.

Priorities & Foundational Principles:

Quality Services for Quality Living
Social Equity

Prepared By:

Janelle McGee

Attachments:

[March, 22, 2023 Planning and Zoning Minutes](#)

City Planning and Zoning Commission Minutes Regular Meeting March 22, 2023 – 6 pm

DISCLAIMER: Meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription. These meeting minutes will not be official until the City Planning and Zoning Commission approves. The meeting can be viewed in its entirety by visiting <http://rochestercitymn.ig2.com/Citizens/Default.aspx>

Members Present: Ruchi Gupta, Robert Cline, Alissa Moe, Joanne Crawford, Jeremy Andrist, Maggie Brimijoin, Aaron Eberhart.

Members Absent: Randy Schubring

Staff: Allison Sosa, Planning Supervisor; Desmond McGeough, Principal Planner, Ed Caples, Planner and Brent Carlsen, City Attorney

Public Comment Opportunity: No comments.

Order of Agenda:

Motion by Commissioner Eberhart to set the order of the agenda. Second by Commissioner Crawford.

Approved 7-0.

Acceptance of minutes:

Motion by Commissioner Brimijoin to approve March 8, 2023, meeting minutes. Second by Commissioner Crawford. **Approved 6-0.** Eberhart abstained.

Reports and Recommendations: None.

Public Hearings:

Shoreland Protection Permit #CD2023-001SPP by Mayowood Lands, LLC., for the development of 129 single-family homes partly located within the Shoreland Zone. This site is located north of the intersection of Abigail Ln. SW and Mayowood Rd. SW.

Ed Caples presented the staff report.

March Welch, G- Cubed representing the applicant responded to questions.

Commissioner Gupta opened the Public Hearing.

No comments from the public.

Commissioner Gupta closed the Public Hearing.

Discussion ensued between the commissioners, staff, and applicant.

Motion by Commissioner Eberhart to approve CD2023-001SPP with the 7 conditions as recommended by staff. Second by Commissioner Andrist. **Approved 7-0.**

CPZC Meeting Minutes March 22, 2023 – 6 pm

The seven conditions are as follows:

1. *Prior to submittal of a Preliminary Plat Application, the applicant shall submit a shoreland exhibit detailing maximum buildout capacity in the Shoreland District. A table must be included that indicates area within the shoreland, maximum impervious surface permitted, and maximum impervious surface proposed.*
2. *Prior to submittal of a Preliminary Plat Application, the applicant shall submit a revised shoreland exhibit detailing the following:*
 - a. *Location of the Shore Impact Zone.*
 - b. *Removal of the areas determined to not be regulated floodplain. This area shall not be included within any shoreland calculations.*
3. *Prior to submittal of a Preliminary Plat Application, a Floodplain Development Permit shall be approved by Community Development.*
4. *Prior to acceptance of a Final Plat Application, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.*
5. *On the Final Plat exhibit, the applicant shall dedicate a 60-foot-wide drainage easement along the rear yard of proposed Block 3, Lots 16-22.*
6. *On the Final plat exhibit, the applicant shall dedicate a drainage easement along the extent of the shoreland located within proposed Block 3, Lot 23.*
7. *Prior to issuance of building permits, the applicant shall record a document with the Olmsted County Recorder's Office that inform landowners their property is within the Shoreland Overlay District.*

Growth Management Map Amendment #CD2023-002GMMA by Tony Bigelow, to amend an 18.23-acre site from "Urban Expansion Beyond 2050" to "Near Term Urban Expansion" on the City's Growth Management Map. The site is located 150 feet south of the intersection of Hawk Ridge Pl. SE & Sparrow Pl. SE. The subject annexation is running concurrently with the Annexation application CD2023-002ANX.

Annexation Petition #CD2023-002ANX by Tony Bigelow, to incorporate an 18.23-acre site into the City of Rochester. The site is located 150 feet south of the intersection of Hawk Ridge Pl. SE & Sparrow Pl. SE. The subject annexation is running concurrently with Growth Management Map Amendment application CD2023-002GMMA.

Zone Change #CD2023-002ZC by Tony Bigelow, to change the Zoning District designation of 23.92 acres from R-1 Mixed Single-Family to R-2 Low-Density Small Lot. The property is located 180 feet south of the intersection of Talon Pl. SE & 28 St. SE.

Desmond McGeough presented the staff report for all three applications.

March Welch, G- Cubed, representing the applicant asked for questions.

Commissioner Gupta opened the Public Hearing.

Patricia Hurley, a neighbor stated her concerns regarding traffic, privacy, parking, and the integrity of the housing in the surrounding neighborhoods.

Commissioner Gupta closed the Public Hearing.

Mark Welch, G-Cubed, addressed the differences between Hawkrigde and proposed Hawkrigde South.



Discussion ensued between the commissioners and the consultant.

Motion by Commissioner Moe to recommend approval of CD2023-002GMMA as recommended by staff. Second by Commissioner Crawford. **Approved 7-0.**

Motion by Commissioner Eberhart to approve CD2023-002ANX as recommended by staff. Second by Commissioner Moe. **Approved 7-0.**

Motion by Commissioner Brimijoin to approve CD2023-002ZC as recommended by staff. Second by Commissioner Eberhart. **Approved 7-0.**

Other Business:

City Council Recap: Desmond McGeough reported Community Development did not have any applications heard at the March 20, 2023, City Council meeting.

Items Brought Up by Members: None.

Items Brought Up by Staff: None.

Adjournment:

Motion to adjourn by Commissioner Moe Second by Commissioner Eberhart. The motion carried unanimously. The meeting adjourned at 6:44 pm.





REQUEST FOR ACTION

Vacation Petition CD2023-003VAC by Enclave

MEETING DATE:

April 12, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Public Hearings

PRESENTER:

Elliot Mohler

Action Requested:

Forwarding a recommendation for approval of Vacation Petition CD2023-003VAC by Enclave to vacate a portion of the right-of-way easement for 1st Ave SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester near the site located at 709 1st St SW.

Report Narrative:

The right-of-way to be vacated is a proposed 10-foot-wide strip of land abutting the frontage of 1st Ave SW. This portion of land was recorded in a Revocable Permit Agreement dated November 22, 2006, requiring the property owner to pay for the installation and maintenance of transformers and sidewalks serving the existing building. The alley easement is a 30-foot-wide easement between Lot 1 and Lot 2, Block 107 of Willson's Addition to Rochester. This easement was dedicated on October 31, 1974, for use as an alleyway, but was never utilized as such.

Prepared By:

Elliot Mohler

Attachments:

[Staff Report CD2023-003VAC](#)

[Notification Map CD2023-003VAC](#)

[Site Location Map CD2023-003VAC](#)

[Alleyway Easement Exhibit CD2023-003VAC](#)

[Right-of-Way Exhibit CD2023-003VAC](#)

[Exhibits with Land Denoted CD2023-003VAC](#)

[Referral Comments CD2023-003VAC](#)

ROCHESTER PLANNING COMMISSION

April 12, 2023

Prepared by:	Rochester Community Development
Request:	Vacation Petition #CD2023-003VAC by Enclave to vacate a portion of the right-of-way easement for 1 st Ave SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester.
Location:	The subject properties are located 800 feet south of the intersection of 1 st Ave SW and 6 th St SW at 709 1 st St SW.
Owners:	Enclave
Consultant:	Momentum Design Group / Elizabeth Kief Widseth Engineering / Craig Britton

COMMISSION AND COUNCIL SUMMARY

Application Type: Vacation

What is Considered: A vacation is the removal of a public easement over private land. Most public easements appear as either a right-of-way easement (street or alley) or a drainage and utility easement (space for utility lines or drainage ways). The Planning and Zoning Commission and City Council evaluate whether the criteria established in Section 60.500.040J.4.1 Subdivisions a & b are satisfied. These criteria cover areas such as determining if the application is in the public interest and that legally required public access to a property will not be denied. An applicant should have support from various agencies serving as notice that the right-of-way or easement is no longer needed.

Approval Body: Rochester City Council

Development Review Team Recommendation: Approval

SUMMARY AND BACKGROUND INFORMATION

A multifamily development is proposed on a 1.88-acre site located at 709 1st St SW. The proposed project would be 7-stories and include 219 units. As part of this redevelopment, two public easements must be vacated for the development to move forward. The site is currently zoned Mixed-Use Downtown-Fringe (MXD-Fringe).

The right-of-way to be vacated is a proposed 10-foot-wide strip of land abutting the frontage of 1st Ave SW. This portion of land was recorded in a Revocable Permit

Agreement dated November 22, 2006. The revocable permit agreement was to allow the encroachment onto the public right-of-way to construct a sidewalk and place transformers that would serve the existing building. As this portion of right-of-way was designed to allow for construction to serve the existing building and property, and as part of said agreement, the property owner was to pay for installation and maintenance of transformers and sidewalk, it is in the public interest to vacate this portion of land.

The alley easement is a 30-foot-wide easement between Lot 1 and Lot 2, Block 107 of Willson's Addition to Rochester. This easement was dedicated on October 31, 1974, for use as an alleyway, but was never utilized as such. Because the easement has never served its original purpose, it is in the public's interest to vacate and no longer maintain.

All public utility companies have been notified and have provided no objections to either vacation petition. New utility easements may be required by RPU during the Site Development application process.

COMMUNITY DEVELOPMENT REVIEW

Land Use Plan:	The subject property is currently guided for Educational Campus.
Adjacent Land:	<p><u>North:</u> The properties to the north of the subjects properties are zoned Mixed Use Downtown-Fringe. These properties are platted and built out.</p> <p><u>East:</u> The properties to the east of the subject properties are zoned Mixed Use Downtown-Fringe. These properties are platted.</p> <p><u>South:</u> The properties to the south of the subject properties are zoned R-1 Mixed Single-Family and Mixed-Use Transit Oriented-Corridor. These properties are guided for Open Space and Parkland (Soldier's Memorial Field).</p> <p><u>West:</u> The properties to the west of the subject properties are zoned R-1 Mixed Single-Family. These properties are guided for Open Space and Parkland (Soldier's Memorial Field).</p>
Public Infrastructure:	Public facilities (roadways, sanitary sewer, water, and storm water management facilities) exist to service the subject properties. RPU and other utility agencies have no objection to either vacation request. New utility

easements may be required by RPU during the Site Development application process.

Floodplain:

There is unregulated floodplain designated on the property. This floodplain does not affect the decision for the vacation requests.

VACATION PETITION REVIEW

Under the provisions of Section 60.500.040J.4.1, the Planning Commission shall recommend, and the City Council shall approve, or approve with conditions, the Public Street/Utility Easement Vacation if it determines that the application complies with the following criteria:

- a. The vacation of the public street/utility easement is in the public interest and will confer a public benefit on the City;

As there would be no benefit provided to the public by the existing easements, the Development Review Team believes it is in the public interest to vacate the 30-foot easement between Lots 1 and 2, Block 107, Willson's Addition to Rochester and to vacate the requested 10-foot-wide strip of public right-of-way along 1st Ave SW. These vacations would allow for a multi-family dwelling project to move forward, creating additional housing units in the downtown area.

- b. The vacation of the public street/utility easement will not deny legally required public access to any lot or parcel.

The vacation of the easement and public right-of-way will not deny legally required public access to any lot or parcel.

STAFF RECOMMENDATION

This request was reviewed in accordance with the provisions of Section 60.500.040J.4.1 of the Unified Development Code. The Development Review Team recommends **approval** of the vacation petitions, as outlined in the Commission & Council Summary above. The conditions for approval are as follows:

ATTACHMENTS

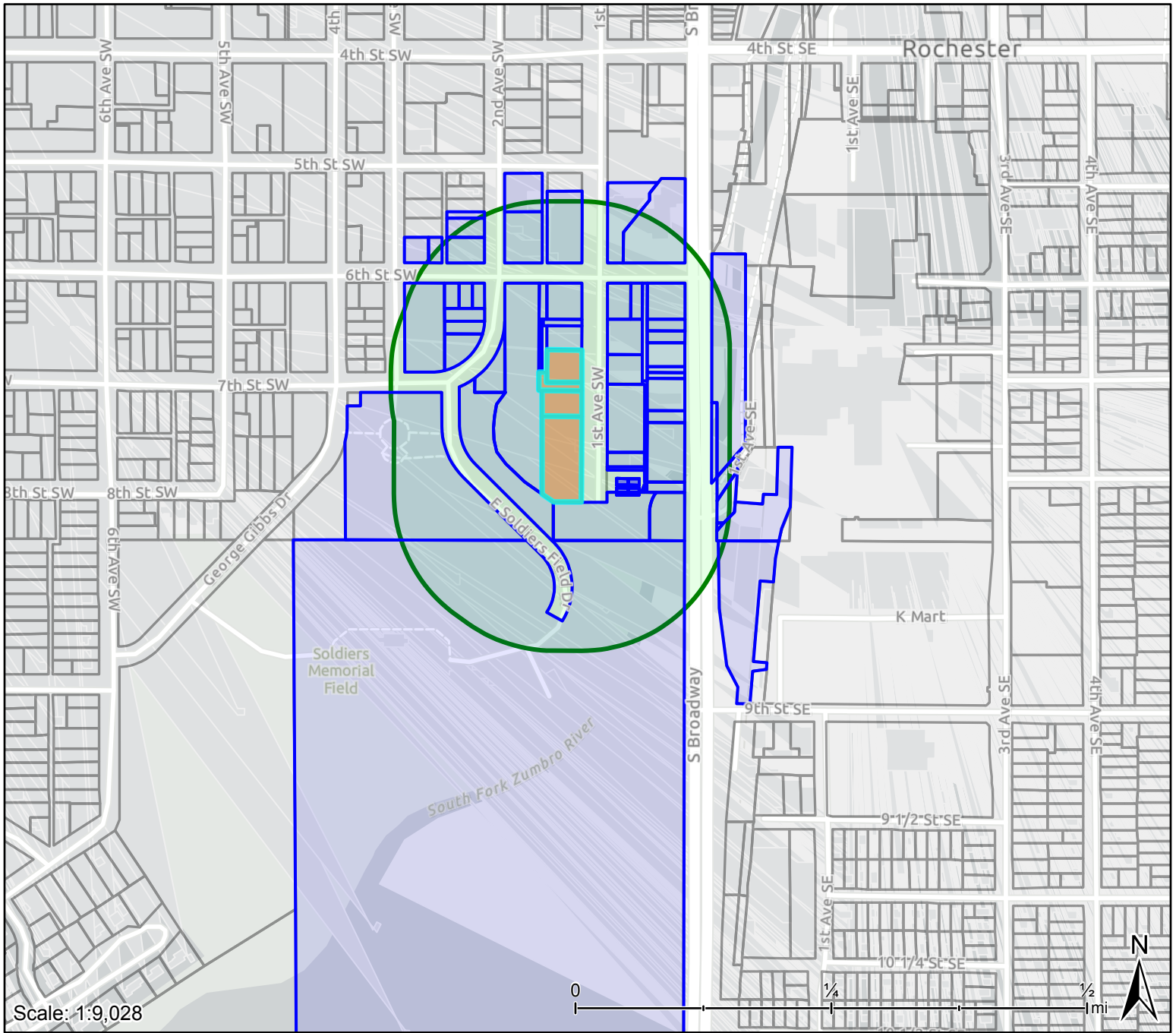
1. Notification Map
2. Site Location Map
3. Vacation Petition Surveys with Legal Descriptions

4. Vacation Exhibits – Land Denoted
5. Referral Comments

Vacation Petition #CD2023-003VAC by Enclave - Ward 2

4/5/2023

Olmsted County Geographic Information Systems



Legend

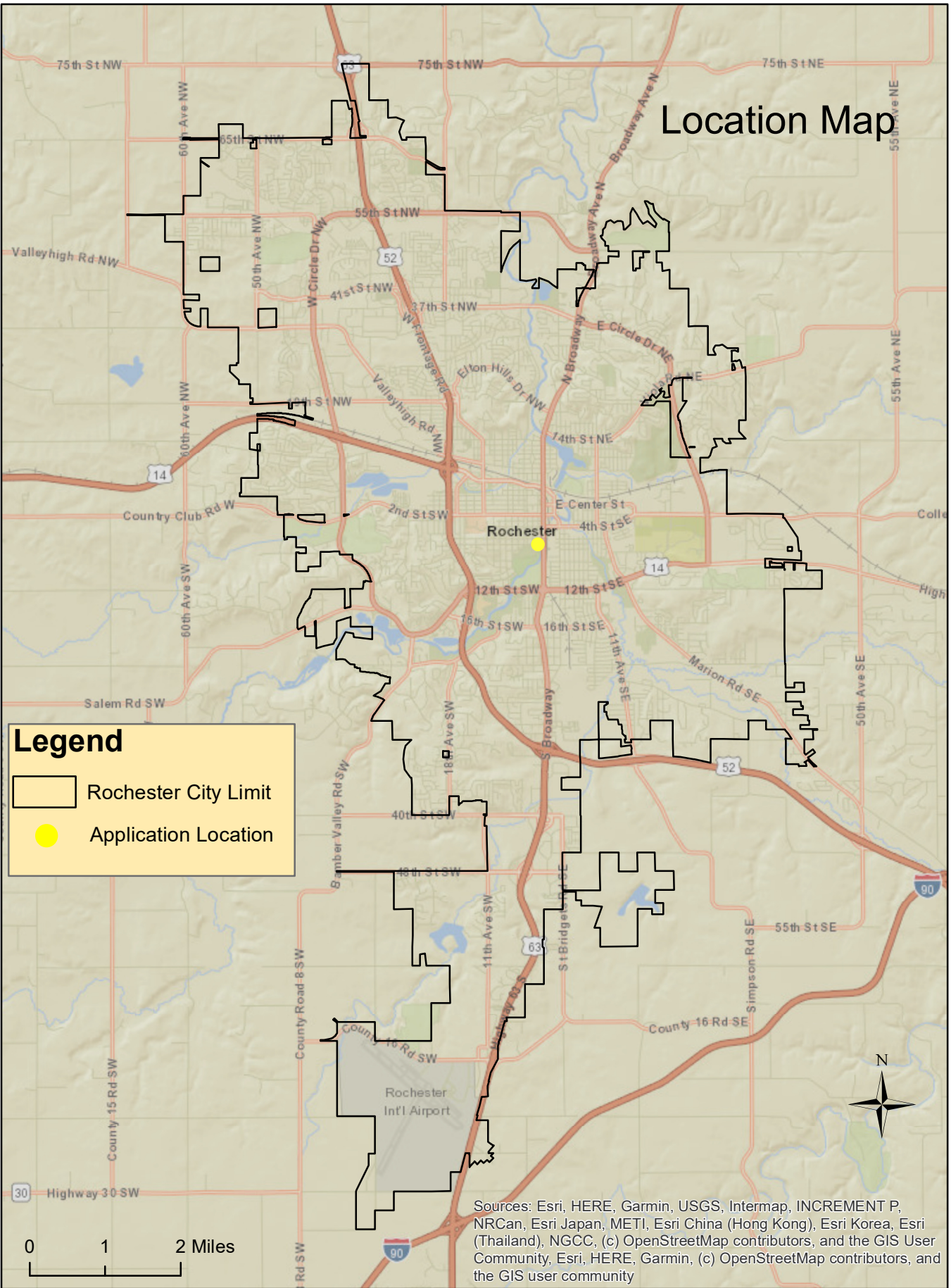
- Site**
- Parcels**
- Notification Area**

Vacation Petition #CD2023-003VAC by Enclave to vacate a portion of the ROW easement for 1st Ave. SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester. These two parcels are located 800 feet South of the intersection of 1st Ave. SW and 6th St. SW. Historic Southwest Neighborhood, 550' Notification Area



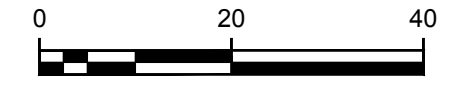
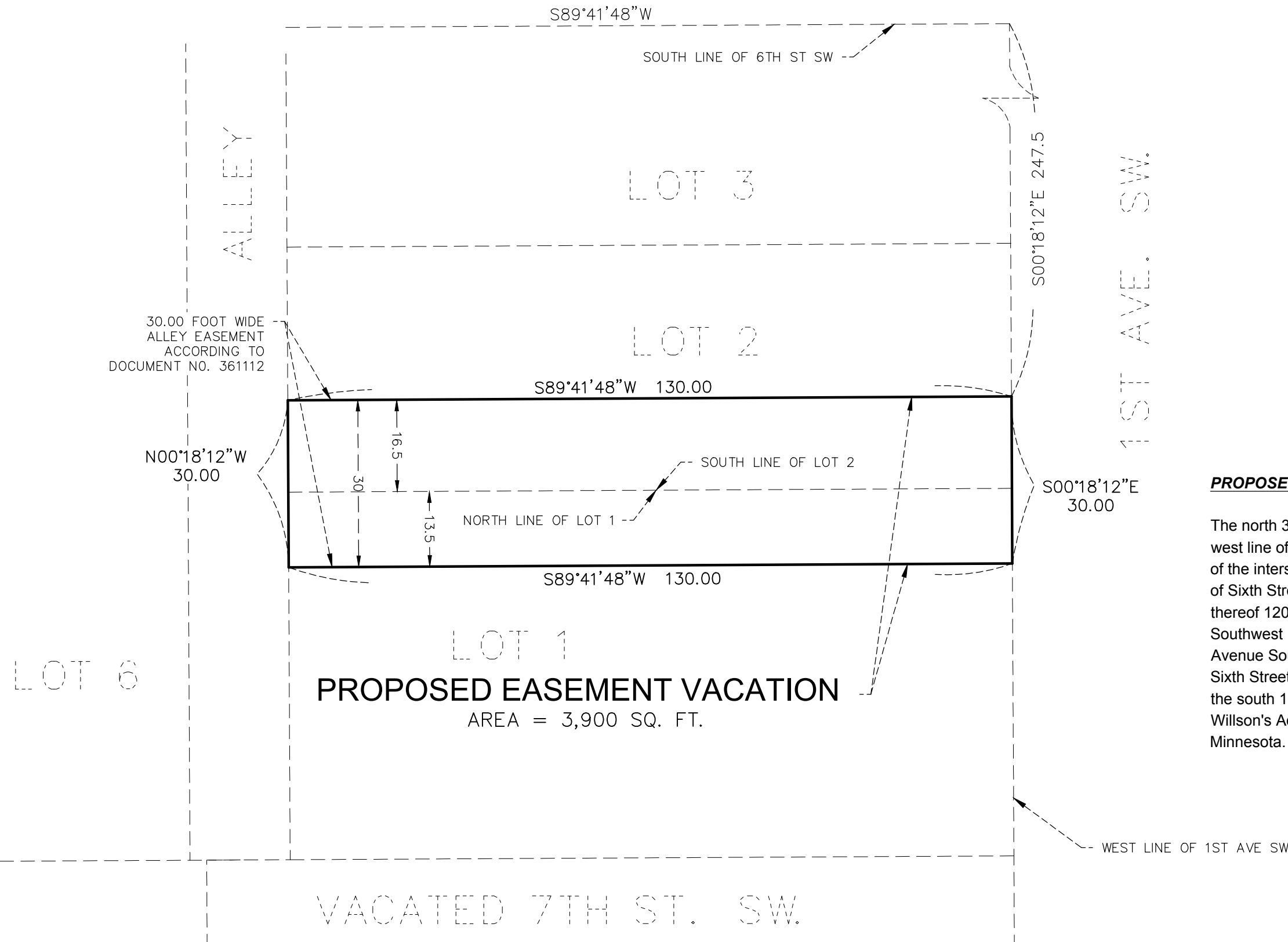
**OLMSTED COUNTY
MINNESOTA**

Location Map



SKETCH AND DESCRIPTION

PART OF BLOCK 107, WILLSON'S ADDITION TO ROCHESTER,
SECTION 2, TOWNSHIP 106, RANGE 14,
OLMSTED COUNTY, MINNESOTA



SCALE (IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE OLMSTED COUNTY
COORDINATE DATABASE NAD 83 (2011 ADJ.)

PROPOSED EASEMENT VACATION ACCORDING TO DOC. NO. 361112:

The north 30 feet of the following described tract: Beginning at a point on the west line of First Avenue Southwest, Rochester, Minnesota, 247.5 feet South of the intersection of said west line of First Avenue Southwest, with south line of Sixth Street Southwest, thence south along said west line or an extension thereof 120 feet, thence west parallel with south line of said Sixth Street Southwest 130 feet, thence running north parallel with west line of First Avenue Southwest 120 feet, running thence east parallel with south line of Sixth Street Southwest 130 feet to beginning; said land being the same as the south 16.5 feet of Lot 2, and the north 13.5 feet of lot1, all in Block 107 of Willson's Addition in the City of Rochester; County of Olmstead, State of Minnesota.

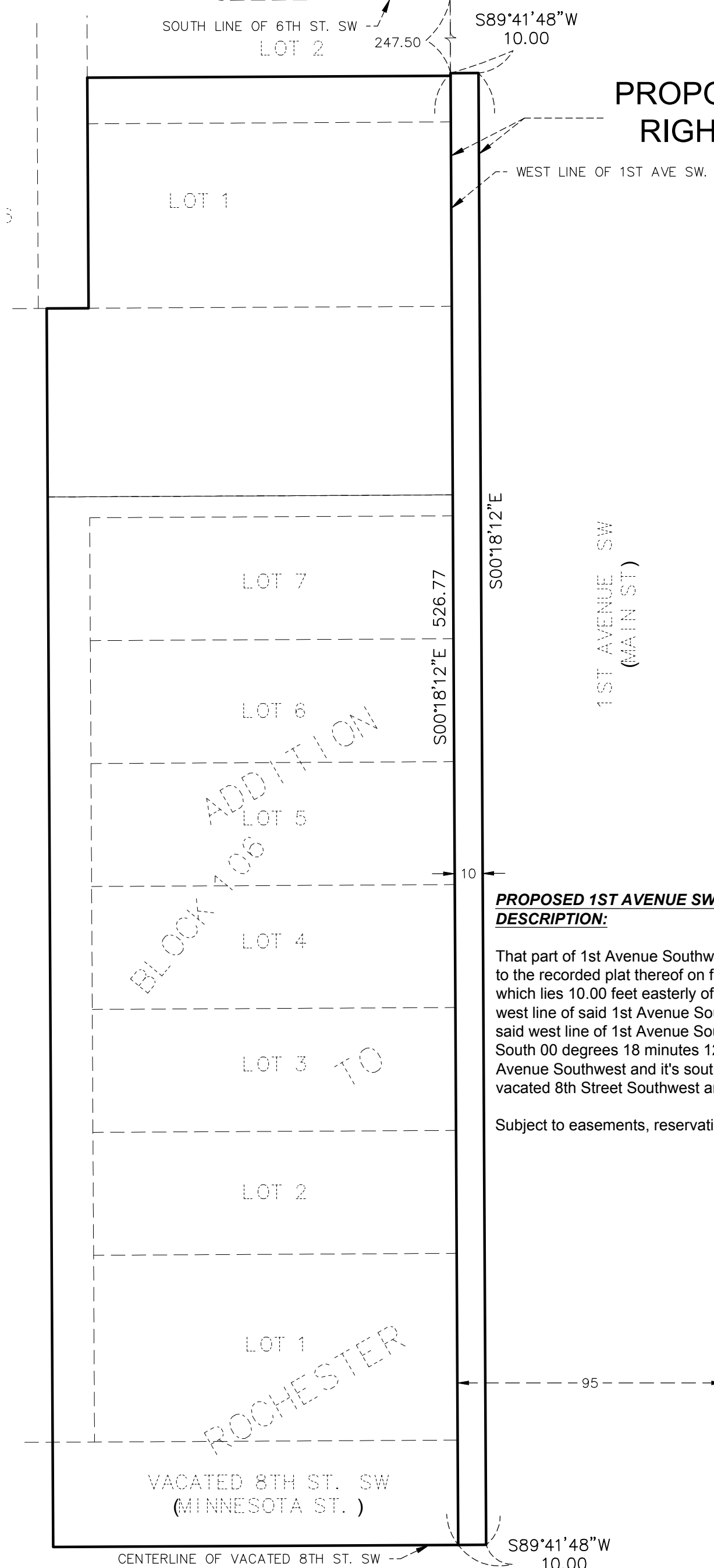
DATE:	3-6-2023	DATE		AMENDMENTS		BY		PREPARED FOR:	ENCLAVE COMPANIES
SCALE:	AS SHOWN							I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA	
DRAWN BY:	ABS							CHAD M. CONNER	DATE:
CHECKED BY:	CMC								LIC. NO. 41643
FILE NUMBER:	2022-11400								



© 2023 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

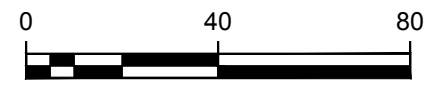
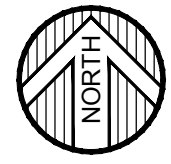
SKETCH AND DESCRIPTION

PART OF WILLSON'S ADDITION TO ROCHESTER,
SECTION 2, TOWNSHIP 106, RANGE 14,
OLMSTED COUNTY, MINNESOTA



PROPOSED 1ST AVENUE SW. RIGHT OF WAY VACATION

AREA = 5,268 SQ. FT.



SCALE (IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS
BASED ON THE OLMSTED COUNTY
COORDINATE DATABASE NAD 83 (2011 ADJ.)

PROPOSED 1ST AVENUE SW RIGHT OF WAY VACATION AND UTILITY EASEMENT DESCRIPTION:

That part of 1st Avenue Southwest, WILLSON'S ADDITION TO ROCHESTER, according to the recorded plat thereof on file in the Olmstead County, Minnesota, Records Office, which lies 10.00 feet easterly of the following described line; Beginning at the point on the west line of said 1st Avenue Southwest that is 247.50 feet southerly of the intersection of said west line of 1st Avenue Southwest and the south line of 6th Street Southwest; thence South 00 degrees 18 minutes 12 seconds East 526.77 feet along the said west line of 1st Avenue Southwest and it's southerly extension to its intersection with the centerline of vacated 8th Street Southwest and said line there terminating.

Subject to easements, reservations or restrictions of record, if any.

DATE:	2-23-2023
SCALE:	AS SHOWN
DRAWN BY:	ABS
CHECKED BY:	CMC
FILE NUMBER:	2022-11400

DATE	AMENDMENTS	BY

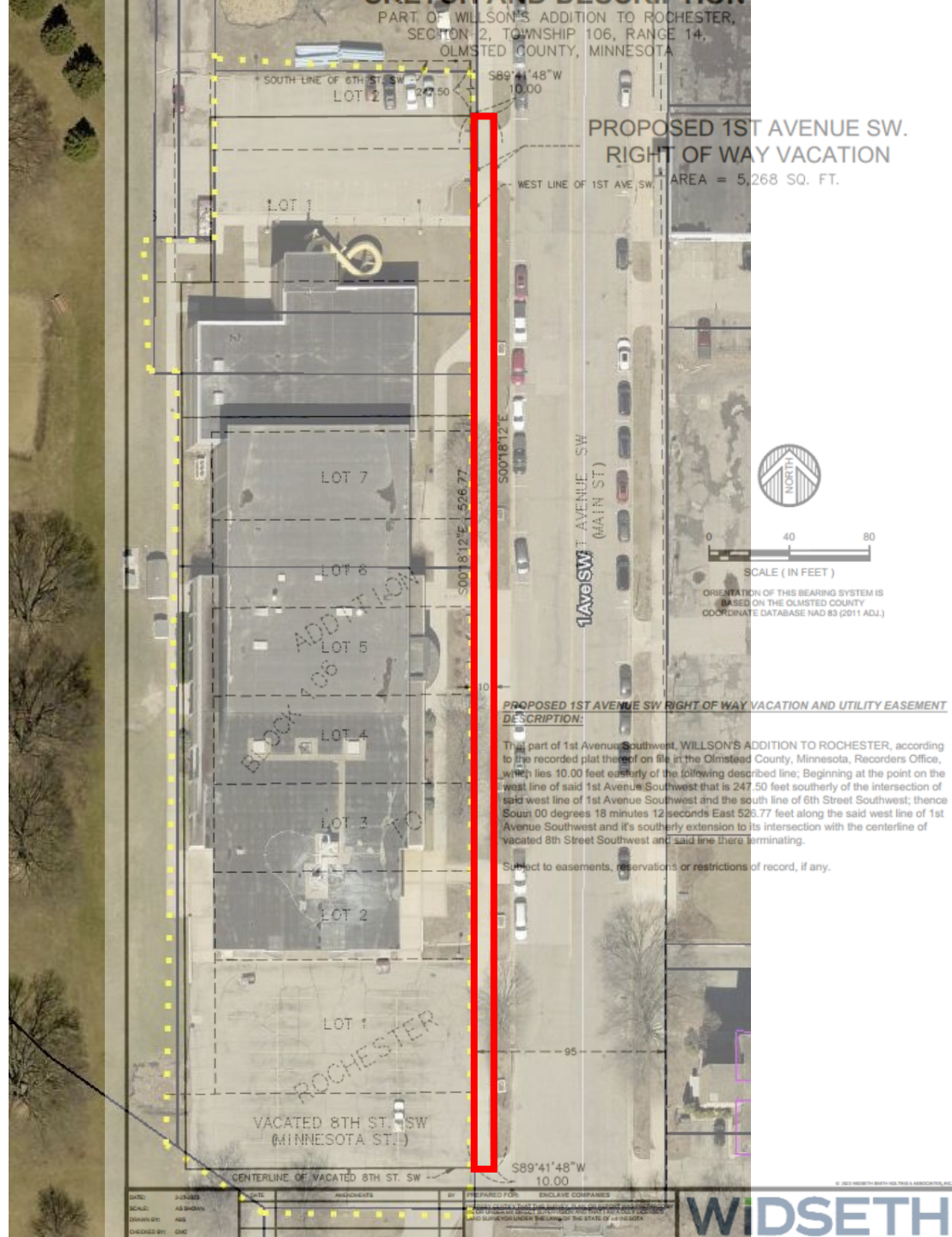
PREPARED FOR:	ENCLAVE COMPANIES
I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA	
CHAD M. CONNER	DATE: 3-3-2023 LIC. NO. 41643

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Alley Easement



ROW Easement



Agency Review Comments

Application No: CD2023-003VAC

3/9/2023 **County GIS/E911**

There are no comments at this time from the E911 Addressing Division Staff.

3/21/2023 **County Public Works**

3/24/2023 **Fire Review**

There are no comments from this agency at this time.

3/24/2023 **Public Works Review**

There are no comments from this agency at this time.

3/16/2023 **Public Works Review**

3/15/2023 **RPU Electric Review**

RPU Electric has no objection to the proposed alley vacation and ROW vacation along 1st Ave SW.

3/10/2023 **RPU Water Review**

There are no comments from this agency at this time.

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Thursday, March 23, 2023 1:19 PM
To: Community Development Department
Cc: Schnell, Tracy (DOT)
Subject: Development Application CD2023-003VAC

[EXTERNAL SENDER]: Do not open links/attachments if uncertain about the sender and never give out your user id and password.

This proposal appears to have no significant impact on MnDOT roadways and is acceptable to MnDOT.

- Application Number: CD2023-003VAC
- Description: Vacation Petition #CD2023-003VAC by Enclave to vacate a portion of the ROW easement for 1st Ave. SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester. These two parcels are located 800 feet South of the intersection of 1st Ave. SW and 6th St. SW.

Thanks,

Tracy Schnell
Senior Planner | District 6

Minnesota Department of Transportation

2900 48th Street NW
Rochester, MN 55901
C: 507-259-3852
mndot.gov/



From: Accela_Mail <accela_mail@rochestermn.gov>
Sent: Thursday, March 9, 2023 4:24 PM
To: Dombrovski, Dillon <ddombrovski@rochestermn.gov>; Lemmer, Nicholas <NLemmer@rochestermn.gov>; Bjoraker, Mike <mbjoraker@rochestermn.gov>; Nigbur, Mike <mnigbur@rochestermn.gov>; Haberman, Jeff <JHaberman@rochestermn.gov>; pwservice@olmstedcounty.gov; RPUElecDistrib <EDistribution@rpu.org>; Klamerus, Douglas <DKlamerus@RPU.ORG>; Neubauer, Wade <WNeubauer@RPU.ORG>; Turk, Jon <jturk@rochestermn.gov>; mike.bromberg@olmstedcounty.gov; Svenby, Brent <BSvenby@rochestermn.gov>; charlie.reiter@olmstedcounty.gov; muhammad.khan@olmstedcounty.gov; Lukes, Heather A (She/Her/Hers) (DOT) <heather.lukes@state.mn.us>; Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>; tony.hill@olmstedcounty.gov; jjmosser@charter.net; jekappers@rochester.k12.mn.us; TDLivingston@minnesotaenergyresources.com; BDWolf@minnesotaenergyresources.com; Paul OSullivan <Paul.OSullivan@minnesotaenergyresources.com>; Lehman, Nicole (DNR) <nicole.lehman@state.mn.us>; Sally.dick@state.mn.us; skip.langer@olmstedcounty.gov; scott.bennett@olmstedcounty.gov; don.vankeulen@olmstedcounty.gov; rene@neighbors.org; amy.j.storm@usps.gov;

Osweiler, Todd <TOsweiler@RPU.ORG>; Watkins, Justin (MPCA) <justin.watkins@state.mn.us>; Svenby, Brent <BSvenby@rochestermn.gov>; sagar.chowdhury@olmstedcounty.gov; katie.hackman@olmstedcounty.gov; ron.muller@charter.com; adam.nowinski@olmstedcounty.gov; david.mccollister@olmstedcounty.gov; wendy.vonwald@olmstedcounty.gov; jennifer.fibison@olmstedcounty.gov; Feece, Jeff <JFeece@rochestermn.gov>; Davis Beth <beth.davis@olmstedcounty.gov>; Greg.Vreeman@charter.com; Peterson, Kelly <kpeterson@rochestermn.gov>; Cooper, Maribeth <MCooper@rochestermn.gov>; melissa.morris@charter.com; sue.vick@charter.com; jackie.boettcher@charter.com; Norman, Gerald <jnorman@rochestermn.gov>; kristi.gross@olmstedcounty.gov; monica.hansen@olmstedcounty.gov; Baker, Mark <mbaker@rochestermn.gov>; Erickson, Troy <TErickson@rochestermn.gov>; Miller, Jamie <JMiller@rochestermn.gov>; Bartolomei, Lindsey <LBartolomei@rochestermn.gov>; kaylie.post@olmstedcounty.gov; Bunke, Brent <BBunke@rpu.org>; Payne, Lucas <LPayne@RPU.ORG>; McGee, Janelle <jmcgee@rochestermn.gov>; Burbank, Tyler <TBurbank@RPU.ORG>; dan.delano@olmstedcounty.gov; max.fenske@olmstedcounty.gov

Subject: Development Application CD2023-003VAC is ready for review by 3/24/2023

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hello,

A development application is ready for review:

- Application Number: CD2023-003VAC
- Description: Vacation Petition #CD2023-003VAC by Enclave to vacate a portion of the ROW easement for 1st Ave. SW and a portion of an easement located on Lots 1 and 2, Block 107, Willson's Addition to Rochester. These two parcels are located 800 feet South of the intersection of 1st Ave. SW and 6th St. SW.
- Comment Due Date: **3/24/2023**

To determine if your review is needed, please refer to the [Department and Agency Review Document](#). You can view the full referral *with site plans* at the following locations, **based on your security access**:

1. [Planning Referral Extranet Site](#): log-in required
2. [Accela](#): log-in required (view the [Accela instructions](#))
3. [Citizen Access](#): no log-in required
 1. Click on the "City Planning" tab
 2. Search for the Record Number (CD2023-003VAC)
 3. Scroll down to the results screen and click on the Record Number
 4. Click on "Attachments"
 5. Click on the hyperlinked document name

If you have access to Accela, please submit your referral comments in the system. Otherwise, please send your comments via email to communitydevelopment@rochestermn.gov.

Thank you,

Community Development

Note: Please do not reply to this email. If you have any questions, contact our department at communitydevelopment@rochestermn.gov or (507)328-2600 during office hours.



REQUEST FOR ACTION

Conditional Use Permit CD2023-003CUP by Tiffany Prow

MEETING DATE:

April 12, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Public Hearings

PRESENTER:

Elliot Mohler

Action Requested:

Approving Conditional Use Permit CD2023-003CUP for the establishment of a 2,600-square-foot birthing center (Medical Facility) in the R-1 District located at 1134 6th St SW based on city teammates' findings of fact and conditions for approval.

Report Narrative:

The subject property is approximately 0.32 acres in size and is located at 1134 6th St SW. The property is currently zoned R-1 Mixed Single-Family. A medical facility is an allowed use in the R-1 district with Planning Commission approval. This type of use requires additional state and county licensing to operate. The property was most recently used as a corporate adult foster care home. The applicant is proposing to use the existing building as a Medical Facility, specifically a home birthing center. This conditional use permit request does not include the basement for the dwelling. No alterations of the existing building, exterior of the building, or driveway are proposed with this conditional use permit.

Prepared By:

Elliot Mohler

Attachments:

[Staff Report CD2023-003CUP](#)

[Notification Map CD2023-003CUP](#)

[Site Location Map CD2023-003CUP](#)

[Applicant Narrative CD2023-003CUP](#)

[Site Plan CD2023-003CUP](#)

[Neighborhood Comments CD2023-003CUP](#)

[Referral Comments CD2023-003CUP](#)

ROCHESTER PLANNING COMMISSION

April 12, 2023

- Prepared by:** Rochester Community Development
- Request:** Conditional Use Permit #CD2023-003CUP by Tiffany Prow to allow for the establishment of a 3,595-square-foot birthing center (Medical Facility) in the R-1 District.
- Location:** The subject property is located 220 feet east of the intersection of 6th St SW and 12th Ave SW at 1134 6th St SW.
- Owners:** Tiffany Prow

COMMISSION AND COUNCIL SUMMARY

Application Type: Conditional Use Permit

What is Considered: The Conditional Use Permit procedure provides a mechanism for the City to evaluate proposed land uses that are generally characterized by infrequency of use, high degree of traffic generation, and/or requirement of a large land area. This procedure is intended to ensure compatibility of such uses with surrounding areas and that adequate mitigation is provided for anticipated impacts. The Planning Commission is specifically looking at the criteria stated in Section 60.500.050A.4. These criteria are more site development oriented to ensure the compatibility of the subject site and neighboring properties – such as off-street parking, times of operation, and public access.

Approval Body: Rochester Planning Commission

Development Review Team Recommendation: Approval with Conditions

1. Variance CD2023-001VAR must be approved prior to the approval of this Conditional Use Permit application. If the variance is denied, this application cannot be approved.
2. Two boulevard trees are required along 6th Street SW at 50' on center. One boulevard tree already exists, applicant must apply for a tree planting permit to plant a new boulevard tree.
3. The basement cannot be used for medical facility purposes, resulting in a 2,600 square foot *Medical Facility*.
4. A sign permit is required if a sign is to be utilized in the future for the property.

SUMMARY AND BACKGROUND INFORMATION

The subject property is approximately 0.32 acres in size and is located at 1134 6th St SW. The property is currently zoned R-1 Mixed Single-Family. A medical facility is an allowed use in the R-1 district with Planning Commission approval. This type of use

requires additional state and county licensing to operate. The property was most recently used as a corporate adult foster care home.

The applicant is proposing to use the existing building as a *Medical Facility*, specifically a home birthing center. This conditional use permit request does not include the basement for the dwelling. No alterations of the existing building, exterior of the building, or driveway are proposed with this conditional use permit.

The applicant has applied for a Variance for relief to the parking requirements associated with the use that can be found in Section 60.400.080E, Table 400.08-1. This variance application will be heard at the April 5th Zoning Board of Appeals meeting. Variance application requests the parking minimum for the site be reduced from six (6) vehicle parking spaces to four (4) vehicle parking spaces. In the Variance request, the total square footage used to calculate required parking omitted the basement of the dwelling. This calculation used 2,600 square feet as opposed to 3,595 square feet. Thus, the basement of this dwelling may not be used for medical facility purposes, resulting in a 2,600 square foot *Medical Facility*. CD2023-001VAR must be approved in order for this application to move forward.

The subject property is surrounded by low density residential properties and is less than a mile from St. Mary's Hospital. 6th St SW is considered a "Primary Urban Collector Corridor" in the ROCOG 2045 Long Range Transportation Plan. A use-specific requirement for medical facilities located in the R-1 District is that no vehicle access points may generate a majority of traffic onto or from a Local residential street. This requirement has been satisfied.

Zoning Standards Table

	Required	Proposed	Standard Met?
Max F.A.R.	None	0.25	Yes
Percentage of Landscape	50%	75%	Yes
Maximum Front Yard	20'	35'	Yes
Rear Yard	20'	75'	Yes
Minimum Side Yard	5'	10'	Yes
Exterior Lighting	0.2 Foot Candle	None proposed	Yes
	10' Height max.	None proposed	Yes
Sign Regulations	24 sq. ft.	No signs proposed	Yes – Sign permit required for any future sign
Boulevard Trees	2	1 existing	No – requirement has been conditioned.
Off-street parking	6 spaces	4 Spaces	Yes – Variance CD2023-001VAR

COMMUNITY DEVELOPMENT REVIEW

Land Use Plan:	The subject property is currently guided for Low Density Residential (LDR).
Adjacent Land:	<p><u>North:</u> The properties to the north of the subject property are zoned R-1 Mixed Single-Family. Properties are platted and built.</p> <p><u>East:</u> The properties to the east of the subject property are zoned R-1 Mixed Single-Family. Properties are platted and built.</p> <p><u>South:</u> The properties to the south of the subject property are zoned R-1 Mixed Single-Family. These properties are platted and built.</p> <p><u>West:</u> The properties to the west of the subject property are zoned R-1 Mixed Single-Family. These properties are platted and built.</p>
Public Infrastructure:	Public facilities (roadways, sanitary sewer, water, and storm water management facilities) exist to service the subject property. The property gains access from 6 th St SW, a Primary Urban Collector Corridor.
Environmental Features	There are no environmental features on the property that would impact development of this site or the new use.

CONDITIONAL USE PERMIT REVIEW

The Planning Commission or City Council, as indicated in Table 300.02-1 (**proposed use is Planning Commission approved**), shall approve a Conditional Use Permit if it determines that the proposed use will not create any of the following negative impacts. **Staff findings in bold.**

1. Vehicular loading, unloading, parking, and vehicular or pedestrian circulation on the site will create hazards to safety or will impose a significant burden upon public facilities;

Vehicular loading, unloading, parking, and vehicle or pedestrian circulation on the site will not create hazards to safety or create a

significant burden on public facilities. The UDC requires that this site have six (6) off-street parking spaces. A Medical Facility in the R-1 district is required to provide a minimum of 2 stalls per 1,000 square feet. The proposed use will occupy approximately 3,500 square feet. The applicant is seeking a variance to reduce the minimum required spaces to four (4).

The site is small and only has enough room for a handful of clients at any one time, so the volume of incoming and outgoing traffic will likely be similar to the existing volume of traffic generated by a single-family dwelling use.

2. The Site Development Plan does not provide pedestrian access to any customer/tenant ingress/egress of the building, including from a public right-of-way and off-street parking area that serves the use while minimizing non-vehicular/vehicular conflicts;

The Site Development Plan provides pedestrian access to customers ingress and egress of the building, including from a public right-of-way and off-street parking area that serves the use while. The Site Development Plan shows adequate entry for clients. The property gains access from 6th St SW, a Primary Urban Collector. The applicant is currently seeking a variance for relief to the required parking minimum of six (6) spaces to four (4).

3. The operation of the use will create significant negative impacts on the surrounding area or will impose undue burdens on the sewers, sanitary and storm drains, water, or similar public facilities;

The operation of the use will NOT create significant negative impacts on the surrounding area or impose undue burdens on the sewers, sanitary and storm drains, water, or similar public facilities. The property has operated previously as a corporate adult foster care home as opposed to a single-family residence.

4. The application will create significant negative environmental impacts on the surrounding area;

The proposed use will not create significant environmental impacts on the surrounding area.

5. The application or related Site Development Plan fails to comply with one or more previous use or development approvals for the property, including without limitation any Distinctive Development approval or General Development Plan applicable to the property; and/or

The application for the proposed use complies with previous uses and development approvals for the property.

6. The application or related Site Development Plan fails to comply with all applicable UDC regulations or other City adopted regulations applicable to the use or zone district in which the property is located, including but not limited to any Use-Specific Standard applicable to the proposed use in Section 60.300.020, unless a Minor Modification, Major Modification, or Variance permitting that deviation has been approved by the City.

The applicant is seeking a variance to vary the required parking minimum for the site. Variance CD2023-001VAR will be heard at the April 4, 2023, Zoning Board of Appeals meeting. This application must be approved by the Zoning Board of Appeals prior to this Conditional Use Permit being approved.

As shown in the applicable dimensional standards tables, the site meets existing zoning standards. Any and all concerns by referral agencies can be addressed with a condition for approval.

STAFF RECOMMENDATION

This request was reviewed in accordance with the provisions of Section 60.500.050A.4 of the Unified Development Code. The Development Review Team recommends **approval with conditions** of the vacation petition, as outlined in the Commission & Council Summary above. The conditions for approval are as follows:

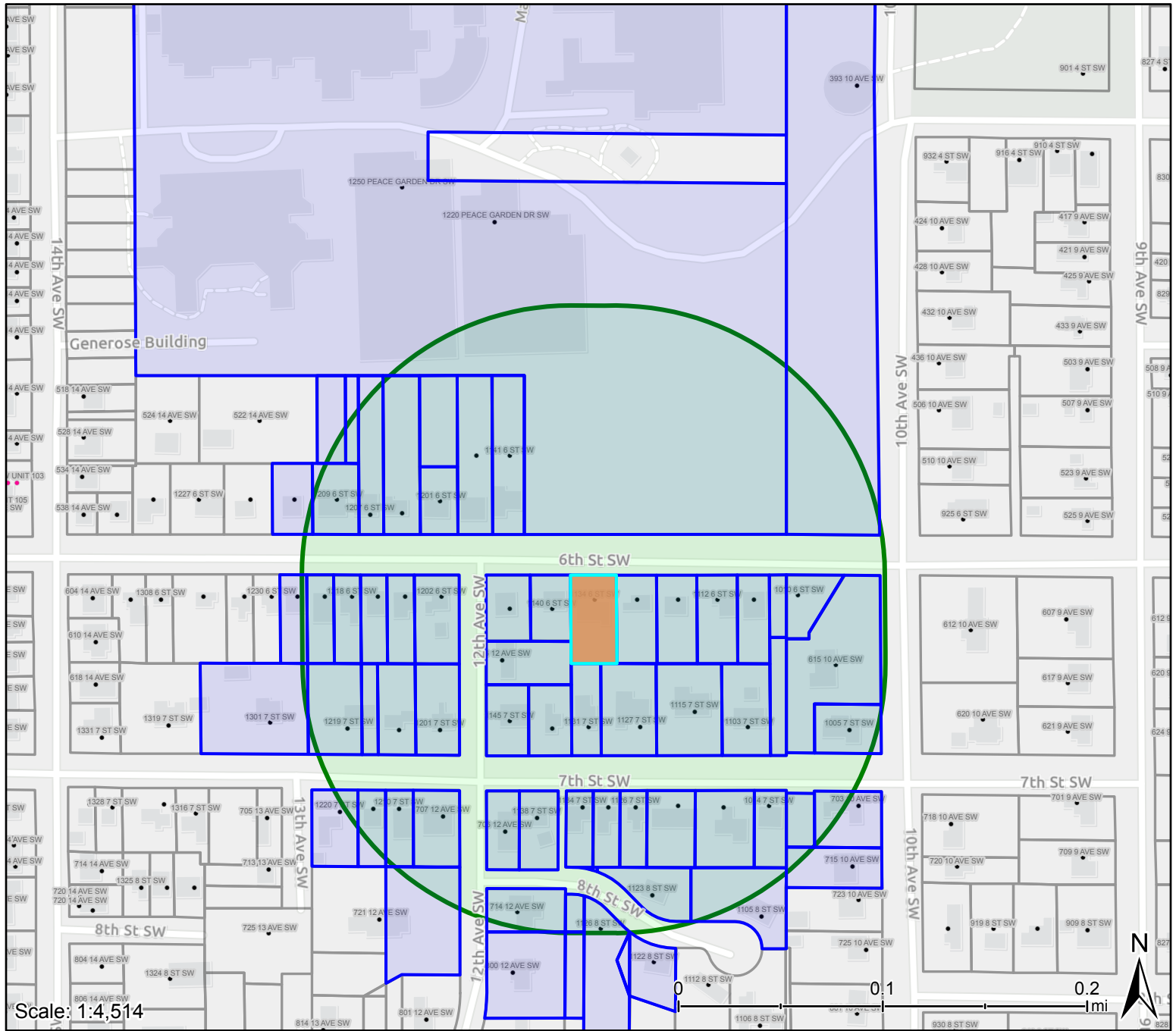
1. Variance CD2023-001VAR must be approved prior to the approval of this Conditional Use Permit application. If the variance is denied, this application cannot be approved.
2. Two boulevard trees are required along 6th Street SW at 50' on center. One boulevard tree already exists, applicant must apply for a tree planting permit to plant a new boulevard tree.
3. The basement cannot be used for medical facility purposes.
4. A sign permit is required if a sign is to be utilized in the future for the property.

ATTACHMENTS

1. Notification Map
2. Site Location Map
3. Applicant Narrative
4. Site Plan
5. Neighborhood Comments
6. Referral Comments

CD2023-003CUP by Tiffany Prow

3/16/2023 Olmsted County Geographic Information Systems



Legend

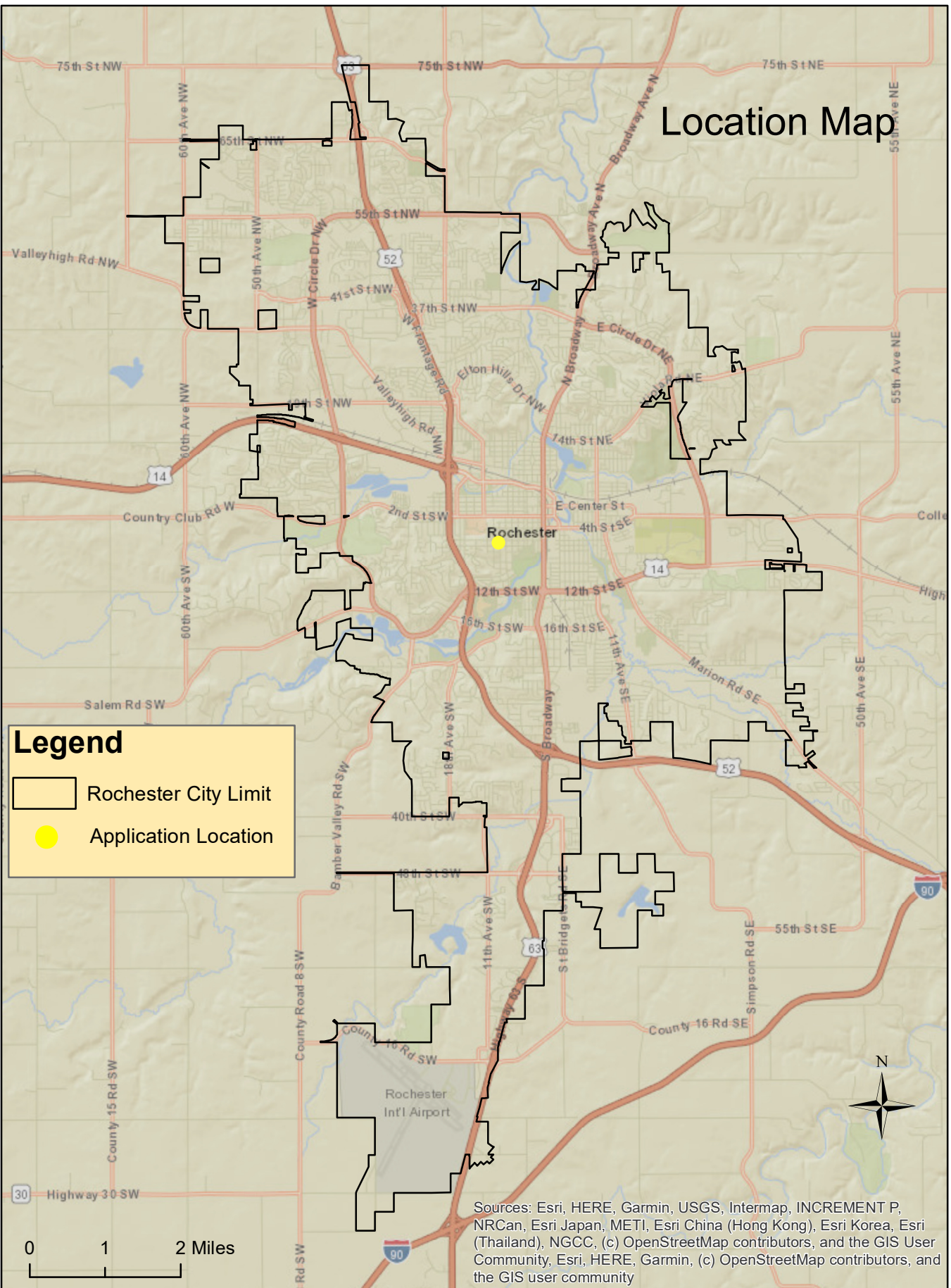
- Site**
- Parcels**
- Notification Area**

Conditional Use Permit #CD2023-003CUP, by Tiffany Prow, for the establishment of a 3,595-square-foot birthing center (Medical Facility) in the R-1 District. The site is located 220 feet east of the intersection of 6th St. SW and 12th Ave. SW. Ward 2
Historic Southwest and Folwell 500feet





**OLMSTED COUNTY
MINNESOTA**

Location Map



Legend

-  Rochester City Limit
-  Application Location

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

March 15, 2023

Planning Commission
Re: Summary of Project

Before the Commission is a Land Development Application for a Conditional Use Permit allowing an existing four-bed corporate adult foster care home to be used as an out-of-hospital birth center with just two birthing suites. This type of birth center would be the first of its kind in Rochester and would provide women with a much needed additional place to have a natural and healthy birth. Currently there are only two options in Rochester for birthing, either delivery at a hospital or in the woman's home. An out-of-hospital Birth Center is allowed pursuant to Minnesota Statute 144.615 and will be licensed by the Minnesota Commissioner of Health and accredited per national standards by the Commission for the Accreditation of Birth Centers ("CABC").

The Birth Center will partner with midwives and birth workers to care for and assist women in natural, low-risk pregnancies and deliveries. CABC guidelines regulate both the model of care provided and eligibility criteria for women who would like to use the Birth Center. The Birth Center will be a place that is dedicated solely to the well being of the mother, her pregnancy, and a healthy delivery. By necessity, the Birth Center needs to be a place of privacy and calm and this need will naturally limit the traffic flow in and out of the Birth Center so that care can be personal and woman-centered.

In the Unified Development Code there are criteria listed for approval for Conditional Use Permits (See ch. 60.500.050A (4)). Below are the criteria and statements supporting the granting of a conditional use permit for the Birth Center:

1) Vehicular loading, unloading, parking, and vehicular or pedestrian circulation on the site will create hazards to safety or will impose a significant burden upon public facilities;

The Birth Center will not create a hazard to safety during vehicular loading, unloading, or parking as there is an attached two car garage and a two car driveway in front of the home. Further there is no street parking in front of the home thereby posing no risk to pedestrians or vehicles. A parking variance application was submitted to the Zoning Board of Appeals Commission on March 8, 2023. (Exhibit 1) I am asking for a parking variance to allow four parking spaces instead of the six parking spaces required of Medical Facilities. Requiring six parking spaces is not necessary for this project as there will be less traffic to the site, the Birth Center is not open to the public, and adding additional parking would detract from the neighborhood and the Birth Center's mission of providing a private, home-like environment for birthing women.

Second, as a Birth Center, the home will have a significant reduction in traffic and use. As a corporate adult foster care facility there were four disabled adults living in the home. The home was staffed nearly twenty-four hours a day, seven days a week, and there was a lot of traffic with visiting social workers, community workers, and

family members. Additionally the residents would often require assistive transit and Zips buses, R&S Transport vans, ABC shuttles and social workers would come to the house multiple times a day.

Birth Center traffic would be limited to midwives/birth workers and their clients on an appointment-only basis. The Birth Center in most cases would have less traffic than even a single family home in the neighborhood. A Traffic Impact Report (TIR) Determination completed by Dillon Dombrovski, the Deputy PW Director - Physical, found that the Birth Center was below threshold use and was exempt from a traffic impact report based on the finding that “change of use will likely generate fewer daily trips than the current use.” (Exhibit 2)

2) The Site Development Plan does not provide pedestrian access to any customer/tenant ingress/egress of the building, including from a public right-of-way and off-street parking area that serves the use while minimizing nonvehicular/vehicular conflicts;

The Birth Center provides pedestrian access to the building. There is a driveway and an attached two car garage that provides access into the home from the garage. Further there is a walkway from the driveway to the front door to provide another entrance into the Birth Center. Both entrances into the home were previously used by disabled adults, staff, and their community supports. There is also a sidewalk that runs parallel in front of the entire width of the home that also connects to the driveway.



3) *The operation of the use will create significant negative impacts on the surrounding area or will impose undue burdens on the sewers, sanitary and storm drains, water, or similar public facilities;*

The use of the home as a Birth Center will decrease the burden on sewers and water as this home will only be in use periodically. Previously the home was a permanent residence for four disabled adults and a place of employment for staff and sewer and water use were consistently higher than surrounding homes in the neighborhood.

4) *The application will create significant negative environmental impacts on the surrounding area.*

Approving the Conditional Use Permit will create a positive impact on the surrounding area as it will be cared for and maintained as a home. There will be no significant environmental impacts on the surrounding area as external modifications are not needed.

5) *The application or related Site Development Plan fails to comply with one or more previous use or development approvals for the property, including without limitation any Distinctive Development approval or General Development Plan applicable to the property; and/or*

The home is designed perfectly for use as a Birth Center and would greatly benefit the community. There are no previous use or development plans for the property.

6) *The application or related Site Development Plan fails to comply with all applicable UDC regulations or other City adopted regulations applicable the use or zone district in which the property is located, including but not limited to any Use-Specific Standard applicable to the proposed use in Section 60.300.020, unless a Minor Modification, Major Modification, or Variance permitting that deviation has been approved by the City.*

The Birth Center is not part of the DMC District Design Review.

The Birth Center's mission to provide a safe home-like and quiet environment will allow it to blend seamlessly and effortlessly into the neighborhood. The home's location is ideal for a Birth Center as it is situated in a beautiful residential area close to Mayo Hospitals and on a bus line, making the home easily accessible. The home's accessibility was one of the reasons it was originally used as a licensed corporate adult foster care home. (Exhibit 3)

The Birth Center will be a beautiful addition to the neighborhood and the city of Rochester. We have already received wonderful feedback and support from our neighbors and community members. (Exhibit 4) Attached to this application are letters

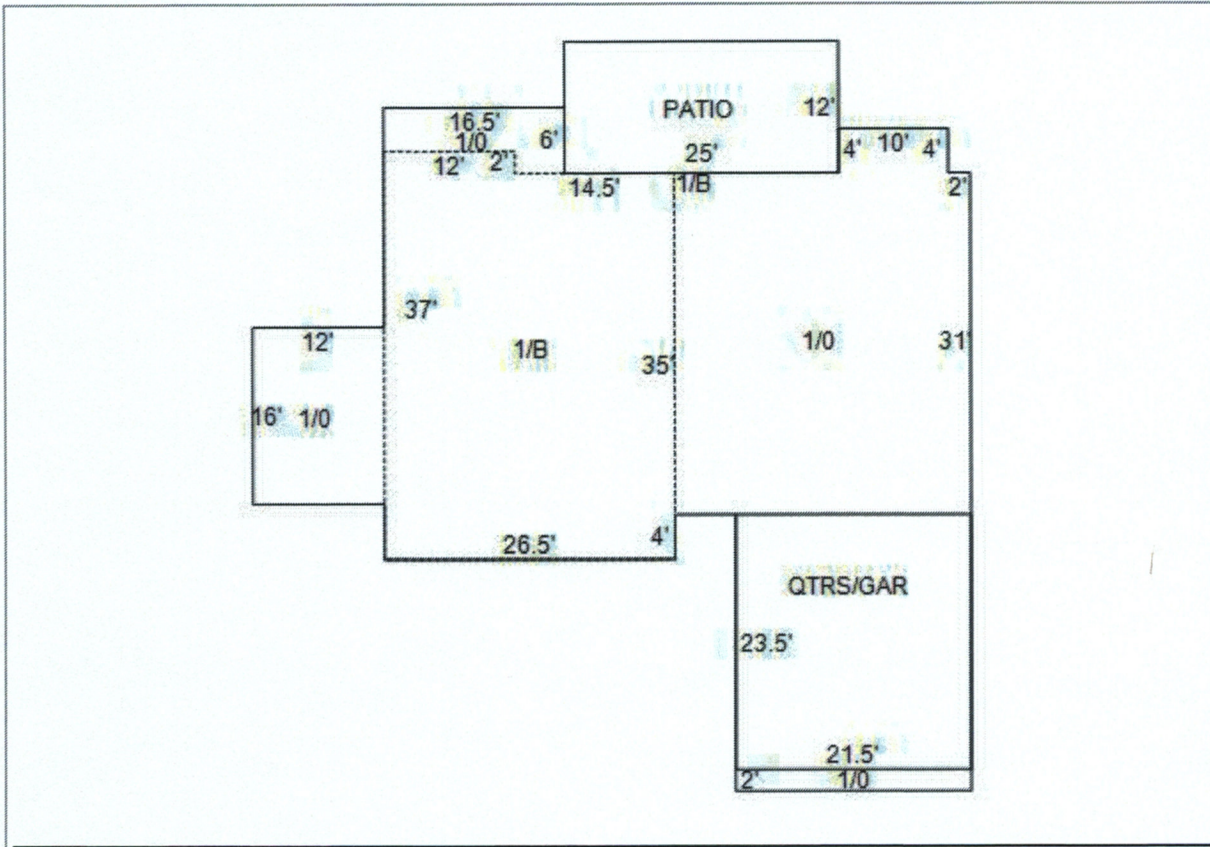
of support including a letter of support from the neighbors that live directly next door. (Exhibit 5) The Birth Center will provide a much needed service that is currently not available in Rochester and will allow women options on both where they would like to birth and how they would like to birth. Due to the private nature of the birthing process, the property would be used in a reasonable manner that would blend into the surrounding neighborhood allowing new moms to give birth in accordance to the neighborhood's mission of providing "an atmosphere of trust, respect, and safety."

Thank you for your consideration.

Tiffany Prow

PARID: 640314025740
THE CRAWFORD HOUSE LLC

ROLL: RP
1134 6 ST SW



Item	Area
1st Floor:FST	2643.75
Basement:BSM	951.5
Slab/Patio:SLB	300
AttGar Unf:AGU	505.25

Printed on Wednesday, January 25, 2023, at 2:34:57 PM EST

Birth Center Aerial View



To: City of Rochester, Attn: Community Development Planning
Re: Change in Use request for 1134 6th Street SW for Tiffany Prow

March 15, 2023

To Whom it May Concern,

We are 21-year residents and homeowners of 1140 6th Street SW, which sits next door to 1138 6th Street SW. That house, a midcentury modern style home, is the site of a former group home for patients with TBI. It is currently seeking a change of use to operate a home birthing center.

This letter is to pass along our support for the proposed change in use.

While we prefer single family residences over commercial uses as a general rule, and while we would not voice our support for just any non-residential use of the house next door to ours, we understand that we live in the heart of a vibrant city on a busy street, that some businesses can coexist successfully in residential settings, and that healthy cities are always evolving.

We are not in favor of absentee landlords and AirB&B homes for example, both of which are located on our historic block. Though they serve market uses and offer wider access to the neighborhood, we find they drain the street of human presence and individual investment that help neighborhoods thrive.

We have lived next door to 1134 for well over a decade as the applicants conducted their previous group home, and found them to be accessible, visible and responsive proprietor-owners who approached their business as a family-run, mission-first project. We could contact them whenever we needed to talk about anything, never experienced excess noise or disruption from the property next door, and its residents and employees became familiar faces and members of the neighborhood.

Tiffany Prow took the time to meet with us personally to explain the circumstances of the recent closure of that business and we found her position persuasive, compelling and transparent. She also explained to us her vision for the converted use of the home and it sounds like an eminently worthy project that will create a less-intensive use of the property. It is a personal mission to her, she has plans to beautify the grounds, and it sounds harmonious with the larger evolution of the street.

As such we support her efforts to build a stronger Rochester and thank you for this opportunity to pass along our views. If you have any questions please do not hesitate to call or write.

Sincerely,

Paul Scott & Leslie Sim
1140 6th Street SW

Rochester, MN 55902
pauljohnscott@me.com
sim.leslie@mayo.edu
(507)271-3103



The Nordic Shops, Inc.

111 So. Broadway, 202
Galleria at University Square
Rochester, MN. 55904-6511
507-285-9143
Fax 507-285-5573
Walter@TheNordicShop.net

14 March 2023

Tiffany Prow

re: Zoning Variance for your property on 6th St SW

Good Afternoon,

My wife, Louise and I want to thank you for taking the time to explain the project that you are planning to do with your property on 6th St SW at the open meeting you hosted at the Berkman. We live within the affected boundary area at 1219 7th St SW and have lived there for 35 years.

In the discussions that we had you managed to answer all of our questions as well as those from several other neighboring residents. It is very apparent that you have researched this venture very well, and that it has been tried and proven in many other cities. We think that it makes perfect sense in Rochester.

It will have a smaller impact on the neighborhood than the business that is currently licensed and approved for this site. We strongly support the new use of a Birthing Center for your property. This seems to be a much more neighborhood friendly option and one that would provide a needed option for Birthing in this city.

Let us know if we can be of any further assistance.

Your Friends and Neighbors,
Louise and Walter Hanson
1219 7th St SW
Rochester, MN. 55902

March 14 2023

Knelly Dettinger
TruLiving Real Estate
2765 Commerce Dr NW
Rochester, MN 55901

City of Rochester
Planning Commission
201 4th street se
Rochester, Mn 55904

To Whom it May Concern;

I'm writing to voice my support for the conditional use permit that has been applied for in order to open the Rochester Birth Center. Rochester is a mecca for health care, and the city needs options for the normal, physiological process of birth for healthy, low risk mothers.

As a Rochester business owner, real estate professional, and mother of many children, having this option as an alternative to private home birth would truly be an asset to the families of our city, as of now, the closest freestanding birth center is in the progressive community of Northfield or the Twin Cities metro, and not practical to serve Rochester families.

I am extremely familiar with the proposed property, and feel the location and layout is a perfect fit. This an extremely low impact use of the home, and should be celebrated in our community.

I hope this gets approved!

Knelly Dettinger
kdettinger@kw.com
507 272 0526

March 13, 2023

To Whom it May Concern,

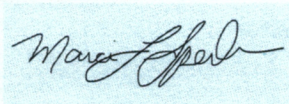
As a doula in the Rochester Area I would like to express my support for a Birth Center in Rochester, MN.

An out-of-hospital birthing center would offer women a third option for birthing in the Rochester area in addition to hospital or at home births. This option is important for women who feel stress or anxiety in the hospital setting or women that want a more natural birth but may not have a suitable environment at home or want a little more structure than at their home. Birthing is easiest when the woman is relaxed in a comfortable environment supported by caregivers that are dedicated to them. The home-like setting of a birth center encourages relaxation. Women can move about freely and find a place and position that is comfortable for them to labor. The woman and her support team will also have access to an equipped kitchen which will allow them to prepare meals or light refreshments according to the needs of the birthing mother.

Having a birth center where birth workers can meet in a central location would be ideal and the location of this birthing center has the added benefit of being located very close to the hospital in case any surgical needs arise and transport is needed. Out-of-hospital birth centers focus on natural birth and low-risk pregnancies and these mothers tend to have a very positive birth experience to look back on. Mom and baby stay together in the birthing center with the mother's chosen support person.

The possibility of having a birthing center like this one is exciting for our community. As a doula, I am there to help the birthing mother relax and provide physical and emotional support to both the mother and their partner during pregnancy, birth, and postpartum. Many of the mothers I have supported would have jumped at the chance to birth in a center such as this. I am asking that you grant the Birth Center the conditional use permit and allow our community and pregnant women the opportunity to have the birth experience that is best for them.

Sincerely,

A handwritten signature in black ink, appearing to read "Marci Sperber", is written over a light blue rectangular background.

Marci Sperber
507-398-6635
marci.sperber@gmail.com

From: James Cassady <jjcass1970@gmail.com>
Sent: Friday, March 31, 2023 6:03 PM
To: Community Development Department
Subject: Opposition to Proposed Birthing Center @ 1134 6th Street SW (Application CD2023-003CUP)

[EXTERNAL SENDER]: Do not open links/attachments if uncertain about the sender and never give out your user id and password.

Dear Planning and Zoning Department,

I am writing you to voice my opposition to the birthing center proposed for the property located at 1134 6th Street SW. I live at 1209 6th Street SW and while the utilization of this property may not impact my day to day activities, the overall assault on the Folwell neighborhood by developers and the possible use of the property in question as a commercial birthing center does adversely impact me and my neighbors homes. This zoning change would set a precedent for the neighborhood such that any of the other houses that are part of this area could be rezoned to commercial. My opposition is multifaceted, but the three main areas of disapproval are the proposed zoning change from R-1 to some form of commercial, the argument that the proposed use will result in a lower impact from parking and traffic at the property and the history of the applicants around this property and the two other properties that make up Crawford House LLC.

As I read through the information provided with both the application for a variance on the parking requirement and the conditional use permit, I failed to identify the type of zoning that the birthing center would be classified as, but currently the property is zoned R-1. The previous use as an adult care home was understandable since it was used as a home for individuals, but a birthing center is a commercial use. The applicant clearly states that the patients and service providers will utilize the property at all hours and will never reside at the property.

The applicant claims that the birthing center will accommodate up to two patients giving birth and two persons assisting in the process. What the applicant does not mention is the possible desire of the patients wanting to have family or friends join them for support. With just the four parking spaces and the inability to park on 6th street SW due to its restriction, those additional cars will have to be accommodated on other side streets which are by permit only or the additional people will be expected to use public transportation. In addition to the patients and staff, Minnesota Statute 144.615 places some limits on the services that the birthing center could provide, but is not comprehensive in its limitations. What is to stop the birthing center from providing other commercial services to maximize the utilization of the property and thereby increase site traffic and parking. 6th Street SW is a very busy street and the conversion of a residential property into a commercial use will adversely impact the lives of those in the neighborhood.

Sincerely,

John Cassady
1209 6th Street SW
Rochester, MN 55902

Agency Review Comments

Application No: CD2023-003CUP

3/16/2023 **Building Plan Review**

4/5/2023 **County Environmental Resources**

3/16/2023 **County GIS/E911**

There are no comments at this time from the E911 Addressing Division Staff.

3/31/2023 **County Long Range Planning**

3/28/2023 **County Public Works**

3/30/2023 **Fire Review**

There are no comments from this agency at this time.

3/22/2023 **LGU**

3/17/2023 **Park and Rec Review**

See attached comment in Accela software.

3/31/2023 **Public Works Review**

There are no comments from this agency at this time.

3/20/2023 **RPU Electric Review**

There are no comments from this agency at this time.

3/16/2023 **RPU Water Review**

There are no comments from this agency at this time.



ROCHESTER PARK AND RECREATION DEPARTMENT REFERRAL COMMENTS FORM

DATE: March 17, 2023
TO: Community Development
RE: The Crawford House
CD2023-003CUP

TREE REQUIREMENTS

- Boulevard trees shall be required for Type 3 final plats; Type 2 land subdivisions; conditional use permits (incentive development, restrictive development, and conventional conditional use permits); or site development plans.
- Boulevard Trees are required along 6th Street SW at 50' on center. There is roughly 85' of frontage so two boulevard trees are required. There is already one tree in place so one new tree needs to be planted. Prior to planting boulevard trees a tree planting permit (free) is required per the boulevard tree ordinance. As part of the permit process Forestry staff will review the landscape plan for species, locational criteria, and site conditions. A boulevard tree planting information sheet is available through the Forestry Division at 507-328-2515.

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Thursday, March 30, 2023 9:54 AM
To: Community Development Department
Cc: Wayne, Kurt (DOT); Schnell, Tracy (DOT)
Subject: Development Application CD2023-003CUP

[EXTERNAL SENDER]: Do not open links/attachments if uncertain about the sender and never give out your user id and password.

This proposal appears to have no significant impact on MnDOT roadways and is acceptable to MnDOT.

- Application Number: CD2023-003CUP
- Description: Conditional Use Permit #CD2023-003CUP, by Tiffany Prow, for the establishment of a 3,595-square-foot birthing center (Medical Facility) in the R-1 District. The site is located 220 feet east of the intersection of 6th St. SW and 12th Ave. SW.

Thanks,

Tracy Schnell

Senior Planner | District 6

Minnesota Department of Transportation

2900 48th Street NW

Rochester, MN 55901

C: 507-259-3852

mndot.gov/

 **DEPARTMENT OF
TRANSPORTATION**

