



**Planning & Zoning Commission Agenda**  
**Rochester Boards & Commissions - Planning & Zoning Commission**  
**May 24, 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: 888 702 146#

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. Minutes of May 10, 2023**

Accepting the minutes and video of the May 10, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

**5. Reports and Recommendations**

**5.A. Major Land Subdivision No. CD2023-003PLAT by Mayowood Lands, LLC, to be known as Preserve at Mayowood**

Approving Major Land Subdivision No. CD2023-003PLAT by Mayowood Lands, LLC, to be known as Preserve at Mayowood, for the subdivision of 89.15 acres into 129 residential lots and four outlots, located north of the intersection of Abigail Ln SW and Mayowood Rd SW.

**6. Public Hearings**

**7. Other Business**

**8. Adjournment**



## **REQUEST FOR ACTION**

Minutes of May 10, 2023

**MEETING DATE:**  
May 24, 2023

**ORIGINATING DEPT:**  
Community Development

**AGENDA SECTION:**  
Consent Agenda

**PRESENTER:**  
Chair

### **Action Requested:**

Accepting the minutes and video of the May 10, 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.

### **Prepared By:**

Maribeth Cooper

### **Attachments:**

[Meeting Minutes May 10, 2023](#)



**CITY OF ROCHESTER, MINNESOTA  
Planning & Zoning Commission MINUTES**

***Attending and Viewing the Meeting***

- 1) [Open Public Comment Period](#)
- 2) [Call to Order/Roll Call](#)

<b>Attendee Name</b>	<b>Status</b>
Margaret R Brimijoin	Present
Ruchi Gupta	Present
Randy R Schubring	Present
Robert A Cline	Present
Joanne Crawford	Present
Jeremy C Andrist	Present
Jonathon P Krull	Present

3) [Order of Agenda](#)

3) Order of Agenda

**MOVER:** Jeremy C Andrist  
**SECONDER:** Ruchi Gupta  
**AYES:** Margaret R Brimijoin, Ruchi Gupta, Randy R Schubring, Robert A Cline, Joanne Crawford, Jeremy C Andrist, Jonathon P Krull  
**ABSENT:** Alissa T Moe, Aaron D Eberhart  
**RESULT:** **APPROVED [UNANIMOUS]**

4) [Consent Agenda](#)

4.A) Draft Minutes of April 26, 2023

**Official Act:** Accepting the minutes and video of the April 26, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

[Cover Page](#) 

4) Consent Agenda

**MOVER:** Joanne Crawford  
**SECONDER:** Margaret R Brimijoin  
**AYES:** Margaret R Brimijoin, Ruchi Gupta, Randy R Schubring, Robert A Cline, Joanne Crawford, Jeremy C Andrist, Jonathon P Krull  
**ABSENT:** Alissa T Moe, Aaron D Eberhart  
**RESULT:** **APPROVED [UNANIMOUS]**

5) [Reports and Recommendations](#)

6) [Public Hearings](#)

6.A) Zoning Map Amendment No. CD2023-004ZC by Volunteers of America

**Official Act:** Forwarding a recommendation to City Council approving Zoning Map Amendment No. CD2023-004ZC, by Volunteers of America, to amend the zoning map classification on a 24.8-acre site, located at the southeast corner of the intersection of Valleyhigh Rd NW and 50th St NW from R-1 (Mixed Single Family) to R-3 (Medium Density Residential).

Elliot Mohler presented the staff report.

Alex Berlick, SEH and Theresa McCormack, CRW Architecture representing the applicant were available for questions.

The Public Hearing was opened.

1. Jeremy Greeley

Having no persons wishing to speak, the public hearing was closed.

A conversation ensued between the Commissioners, Staff, and the Applicant.

[Cover Page](#) 

[Staff Report - CD2023-004ZC VOA](#) 

[Notification Map - CD2023-004ZC VOA](#) 

[Site Location Map - CD2023-004ZC VOA](#) 

[Zoning and Massing Exhibit - CD2023-004ZC VOA](#) 

[UDC Use Regulations - CD2023-004ZC VOA](#) 

[Applicant Narrative - CD2023-004ZC VOA](#) 

[Referral Comments - CD2023-004ZC VOA](#) 

[NIM Minutes - CD2023-004ZC VOC](#) 

[NIM Sign In Sheet - CD2023-004ZC VOC](#) 

Forwarding a recommendation to City Council approving Zoning Map Amendment No. CD2023-004ZC, by Volunteers of America, to amend the zoning map classification on a 24.8-acre site, located at the southeast corner

of the intersection of Valleyhigh Rd NW and 50th St NW from R-1 (Mixed Single Family) to R-3 (Medium Density Residential).

Elliot Mohler presented the staff report.

Alex Berlick, SEH and Theresa McCormack, CRW Architecture representing the applicant were available for questions.

The Public Hearing was opened.

1. Jeremy Greeley

Having no persons wishing to speak, the public hearing was closed.

A conversation ensued between the Commissioners, Staff, and the Applicant.

**MOVER:** Joanne Crawford

**SECONDER:** Jonathon P Krull

**AYES:** Margaret R Brimijoin, Ruchi Gupta, Randy R Schubring, Robert A Cline, Joanne Crawford, Jeremy C Andrist, Jonathon P Krull

**ABSENT:** Alissa T Moe, Aaron D Eberhart

**RESULT:** **APPROVED [UNANIMOUS]**

6.B) [Land Use Plan Amendment No. CD2023-002CPA by City of Rochester](#)

**Official Act:** Recommending approval of Land Use Plan Amendment No. CD2023-002CPA, by the City of Rochester, to amend the Land Use Map classification on a 120-acre site, located at the northeast corner of 55th St NW and 18th Ave NW, from Low-Density Residential to 20 acres of Medium-Density Residential and 23.76 acres of Commercial and Business Development.

Ryan Yetzer presented the staff report.

The Public Hearing was opened.

1. Justin Todd, Anthony Properties - Developer.

2. Ryan Schoenfelder, WSE

3. Tom Meilander, Edina Realty

4. Bill Tointon, WSE

5. Mark Utz

6. Chris Drury

7. Scott Batterson

8. Tim Molko

9. Sue Alker

10. Laura Smith

11. Jay Anthony, Anthony Properties

Having no other persons wishing to speak, the public hearing was closed.

Public Hearing was reopened.

1. Michael Mastromatteo

The Public Hearing was closed.

A conversation ensued between the Commissioners, Staff, and the Applicant.

[Cover Page](#) 

[CD Memo - CD2023-002CPA](#) 

[Notification Map - CD2023-002CPA](#) 

[Location Map - CD2023-002CPA](#) 

[CD Land Use Plan Exhibit - - CD2023-002CPA](#) 

[CD Demand & Land Use Inventory Assessment - CD2023-002CPA](#) 

[Owner Land Use Exhibit - CD2023-002CPA](#) 

[Owner Narrative-Market Study - CD2023-002CPA](#) 

[Review Comments - CD2023-002CPA](#) 

[Public Comments - CD2023-002CPA](#) 

Reopen Public Hearing

**MOVER:** Jonathon P Krull  
**SECONDER:** Margaret R Brimijoin  
**AYES:** Margaret R Brimijoin, Ruchi Gupta, Randy R Schubring, Robert A Cline, Joanne Crawford, Jeremy C Andrist, Jonathon P Krull  
**ABSENT:** Alissa T Moe, Aaron D Eberhart  
**RESULT:** **APPROVED [UNANIMOUS]**

Motion to encourage additional conversation on how to raise the ability to support people and businesses to meet a middle ground.

**MOVER:** Margaret R Brimijoin  
**SECONDER:** Joanne Crawford  
**AYES:** None  
**RESULT:** **APPROVED [UNANIMOUS]**

Motion to continue this application to the June 14, 2023, Planning and Zoning to allow City staff and developer and property owner to continue discussion to find a compromise.

**MOVER:** Margaret R Brimijoin  
**SECONDER:** Joanne Crawford  
**AYES:** Margaret R Brimijoin, Ruchi Gupta, Randy R Schubring, Robert A Cline, Jonathon P Krull  
**NAYS:** Joanne Crawford, Jeremy C Andrist  
**ABSENT:** Alissa T Moe, Aaron D Eberhart  
**RESULT:** **APPROVED [5 - 2 - 2]**

7) **[Other Business](#)**

8) ***Adjourn***

8) Adjourn

**MOVER:** Jeremy C Andrist  
**SECONDER:** Joanne Crawford  
**AYES:** None  
**RESULT:** **APPROVED [UNANIMOUS]**



## REQUEST FOR ACTION

**Major Land Subdivision No. CD2023-003PLAT by  
Mayowood Lands, LLC, to be known as Preserve at  
Mayowood**

**MEETING DATE:**

**May 24, 2023**

**ORIGINATING DEPT:**

**Community Development**

**AGENDA SECTION:**

**Reports and Recommendations**

**PRESENTER:**

**Ed Caples**

**Action Requested:**

Approving Major Land Subdivision No. CD2023-003PLAT by Mayowood Lands, LLC, to be known as Preserve at Mayowood, for the subdivision of 89.15 acres into 129 residential lots and four outlots, located north of the intersection of Abigail Ln SW and Mayowood Rd SW.

**Report Narrative:**

The applicant is proposing a Major Land Subdivision that would subdivide 89.15 acres into 129 residential lots and four outlots. This subdivision will include the construction of private roadway facilities, pedestrian facilities, public parkland, and public utilities. The Major Land Subdivision is consistent with the approved Preserve at Mayowood General Development Plan.

The Development review teams recommends approval of the Major Land Subdivision, subject to the following conditions:

1. Prior to acceptance of a Final Plat application, the applicant shall amend the Major Land Subdivision Exhibit with the following revisions:
  - a. Site Plan Revisions to the satisfaction of RPU-Water & RPU-Electric.
  - b. A pedestrian connection shall be provided on any cul-de-sac per section 60.400.040C.3F.
  - c. A pedestrian connection shall be provided on any block exceeding 600 feet in length per section 60.400.040C.3F.1.
2. Prior to acceptance of a Final Plat Application, a conservation easement or similar mechanism shall be designated on the Final Plat to meet the conditions associated with the Shoreland Protection Permit.
3. Prior to acceptance of a Final Plat application, the Floodplain Development Permit applicable to this site shall be approved.
4. Prior to acceptance of a Final Plat Application, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
5. If the applicant intends to request the preparation of a Development Agreement, the agreement shall be executed prior to acceptance of a Final Plat.
6. Prior to acceptance of a Final Plat Application, the applicant shall submit all GIS Impact and E911 Addressing fees to the satisfaction of the Olmsted County Planning Department.



7. Prior to recordation of the Final Plat, the applicant shall dedicate parkland and the accompanying public trail access via easement or deed.
8. Building permit applications located within the Special Flood Hazard Area will not be approved until a Letter of Map Revision based on fill has been approved by FEMA.
9. Prior to construction of any public infrastructure, the applicant shall execute a City-Owner Contract and dedicate any applicable on and off-site public easements.

**Priorities & Foundational Principles:**

Economic Vibrancy & Growth Management  
Environmental Stewardship

**Policy Considerations & DEI Impact:**

The proposed preliminary plat is consistent with an active General Development Plan, and achieves Comprehensive Plan Core Principals of Fiscal Sustainability and Maintain Commitment to Health, Wellness, and the Environment.

**Prior Legislative Actions & Community Engagement:**

December 5, 2022 - City Council Meeting - General Development Plan Approved  
March 22, 2023 - Rochester Planning Commission Meeting - Shoreland Protection Permit Approved  
April 4, 2023 - Neighborhood Informational Meeting on Major Land Subdivision

**Fiscal & Resource Impact:**

All development costs will be the responsibility of the developer, and will be outlined in a Development Agreement and/or City-Owner Contract.

**Alternative Action(s):**

No alternative actions are suggested at this time.

**Prepared By:**

Edward Caples

**Attachments:**

[Community Development Memo - CD2023-003PLAT Preserve at Mayowood](#)  
[Notification Map - CD2023-003PLAT Preserve at Mayowood](#)  
[Location Map - CD2023-003PLAT Preserve at Mayowood](#)  
[Major Land Subdivision Exhibit - CD2023-003PLAT Preserve at Mayowood](#)  
[Applicant Narrative - CD2023-003PLAT Preserve at Mayowood](#)  
[Review Comments - CD2023-003PLAT Preserve at Mayowood](#)  
[Major Land Subdivision Criteria - CD2023-003PLAT Preserve at Mayowood](#)

## Rochester Planning and Zoning Commission

May 24, 2023

**Prepared By:** Rochester Community Development Department

**Request:** Major Land Subdivision #CD2023-003PLAT by Mayowood Lands, LLC, to be known as Preserve at Mayowood, for the subdivision of 89.15 acres into 129 residential lots and 4 outlots.

**Location:** The site is located north of the intersection of Abigail Lane SW and Mayowood Road SW.

**Applicant:** Mayowood Lands

**Consultant:** G-Cubed

## PLANNING COMMISSION SUMMARY

**Application Type:** Major Land Subdivision

**What is Considered:** The Major Land Subdivision is the initial document authorizing the creation of a subdivision. A Major Land Subdivision is often referred to as a Preliminary Plat. During the Major Land Subdivision review, the Planning Commission and City Council evaluates the subdivision for conformance with lot development standards, such as lot size, vehicle and pedestrian access /connectivity, public utility needs, and the future for development on adjacent undeveloped land.

Site design standards, such as building and parking lot location, height, and setbacks, are not part of the preliminary plat review.

A final plat will follow the Major Land Subdivision and will ensure full compliance with future construction, utility, and grading plans.

**Approval Body:** Rochester City Council

**Development Review Team Recommendation:** Approval with conditions:

1. Prior to acceptance of a Final Plat application, the applicant shall amend the Major Land Subdivision Exhibit with the following revisions:
  - a. Site Plan Revisions to the satisfaction of RPU-Water & RPU-Electric.
  - b. A pedestrian connection shall be provided on any cul-de-sac per section 60.400.040C.3F.
  - c. A pedestrian connection shall be provided on any block exceeding 600 feet in length per section 60.400.040C.3F.1.
2. Prior to acceptance of a Final Plat Application, a conservation easement or similar mechanism shall be designated on the Final Plat to meet the conditions associated with the Shoreland Protection Permit.

3. Prior to acceptance of a Final Plat application, the Floodplain Development Permit applicable to this site shall be approved.
4. Prior to acceptance of a Final Plat Application, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
5. If the applicant intends to request the preparation of a Development Agreement, the agreement shall be executed prior to acceptance of a Final Plat.
6. Prior to acceptance of a Final Plat Application, the applicant shall submit all GIS Impact and E911 Addressing fees to the satisfaction of the Olmsted County Planning Department.
7. Prior to recordation of the Final Plat, the applicant shall dedicate parkland and the accompanying public trail access via easement or deed.
8. Building permit applications located within the Special Flood Hazard Area will not be approved until a Letter of Map Revision based on fill has been approved by FEMA.
9. Prior to construction of any public infrastructure, the applicant shall execute a City-Owner Contract and dedicate any applicable on and off-site public easements.

## PROJECT SUMMARY

The applicant, Mayowood Lands, LLC, is proposing a Major Land Subdivision that will subdivide 89.15 acres into 129 residential lots and 4 outlots. The roadways associated with this development are private and the applicant proposes two access points off Mayowood Road (CR 125). Although the connectivity index score is below the 1.5 requirement, the constraints associated with the site prohibit street connections outside of the development. Regardless, the street layout is consistent with the recently approved General Development Plan which encompasses the entirety of this Major Land Subdivision.

The subject property was annexed into the City of Rochester in 1989. Subsequently, the Rochester City Council approved a General Development Plan (CD2022-001GDP, Preserve of Mayowood) on December 5, 2022. To satisfy a condition of approval associated with the GDP, a Shoreland Protection Permit (SPP) to decrease the minimum lot width for lots located within the Shoreland District Overlay to 75 feet, was approved, with conditions by the Rochester Planning Commission on March 9, 2023. The conditions of the approval associated with the SPP are still being worked through by the applicant. The SPP must be approved prior to the acceptance of any Final Plat application.

During the GDP review and subsequent staff report, the pedestrian path was given special attention and was highlighted throughout the public process. The 10-foot wide asphalt pedestrian trail was selected for several reasons. First, approximately 2,700 linear feet of pathway will be constructed along Mayowood Road, which will provide timely pedestrian facilities in an area with significant foot traffic. Secondly, this proposal would provide a safe route to Bamber Valley Elementary from both the proposed development and the existing Mayowood Commons subdivision. Finally, the approved configuration of

the path requires fewer segments of the stonewall to be dismantled and preserves three mature White Pines within the ROW.

<b>CD2023-003PLAT – ZONING SUMMARY TABLE</b>	
<b>Land Use/ Zoning</b>	The underlying Land Use designation for this area is Low-Density Residential, which is compatible with the proposed Major Land Subdivision. This parcel is zoned R-1 (Mixed Single Family) and the proposal is consistent with the R-1 development standards.
<b>Streets and Access</b>	The primary access to this site is from Mayowood Road SW at two locations where an interior local street loop intersects with the roadway. The easterly access will align with Abigail Ln Sw. A midblock street provides a connection along the main development loop. 3 cul-de-sacs that take access off the main loop are also proposed within this development. All streets associated with this development are private and therefore, no pedestrian facilities are required.
<b>Grading &amp; Stormwater Management</b>	No grading or earthwork is allowed to occur until a Stormwater Management Plan has been approved, and a grading permit issued. The Stormwater Management Plan approval will be required prior to acceptance of a final plat application.
<b>Wetlands/Decorah Edge/Floodplain</b>	<p>Three areas of floodplain exist in the northwest, northeast, and eastern portion of the site. A Floodplain Development Permit to ensure a no net loss of capacity of surface storage of flood waters is currently under review by Community Development Teammates. This application must be approved prior to Final Plat submittal.</p> <p>A small portion of the property on the west side along Mayowood Road is mapped as potential Decorah Edge. Soil borings for the development were performed over the area and the boring was not indicative of the presence of Decorah soil.</p> <p>On the eastern side of the Major Land Subdivision is an area of wetlands. The wetland was delineated and approved by the LGU and is on file at Olmsted County (R2021-003WET). Development plans have been prepared to avoid both wetland areas on site.</p>
<b>Public Facilities</b>	Public facilities exist to service the site. However, the current capacity of these facilities does not allow the entire buildout of the site as currently proposed. Upgrades to the existing public facilities will need to be in place prior to full build-out. In lieu of waiting for all public facilities to be in place prior to development, the Owner may request that the City prepare a Development Agreement for Owner's execution to memorialize terms and obligations specific to development of this Property.

	Consistent with the conditions of the GDP approval, a pedestrian path will be constructed by the developer from the east line of the property to the west line of the property, along the south side of Mayowood Rd SW. The detailed terms for this construction will be addressed in the Development Agreement.
<b>Utilities</b>	This area is within the Main Level Water System Area, which is available to the south and southeast of the development. Static water pressures will range from 53 to 65 PSI.  RPU-Electric is requesting various easements to adequately serve the site with their facilities.
<b>Parkland Dedication</b>	The Major Land Subdivision identifies a 3.14 acre park along the eastern boundary which is acceptable to the Parks Department. Dedication shall include the public trail access along the eastern property line from the ROW to the proposed park. Prior to recordation of the final plat, the land shall be dedicated via an easement or deed.
<b>Spillover Parking:</b>	This development requires 13 spillover parking spaces. Spillover parking can be accommodated on the roadways and driveways within the subdivision plat.

### MAJOR LAND SUBDIVISION CRITERIA – STANDARDS FOR APPROVAL

The Development Review Team has reviewed the Major Land Subdivision for conformance with the Unified Development Code and recommends that all Major Land Subdivision findings are met (Section 60.500.040G.4). A full list of the findings are attached to this memo.

As presently proposed, the Major Land Subdivision meets all provisions of a Major Land Subdivision or a condition of approval has been recommended to satisfy Section 60.500.040G.4. Most notably, this proposed subdivision is consistent with the previously approved GDP, the proposed lots meet minimum lot width and square footage requirements, and conditions have been placed to address RPU Water & RPU Electric needs. **Therefore, the Development Review Team recommends approval with conditions, as outlined in the Planning Commission Summary above.**

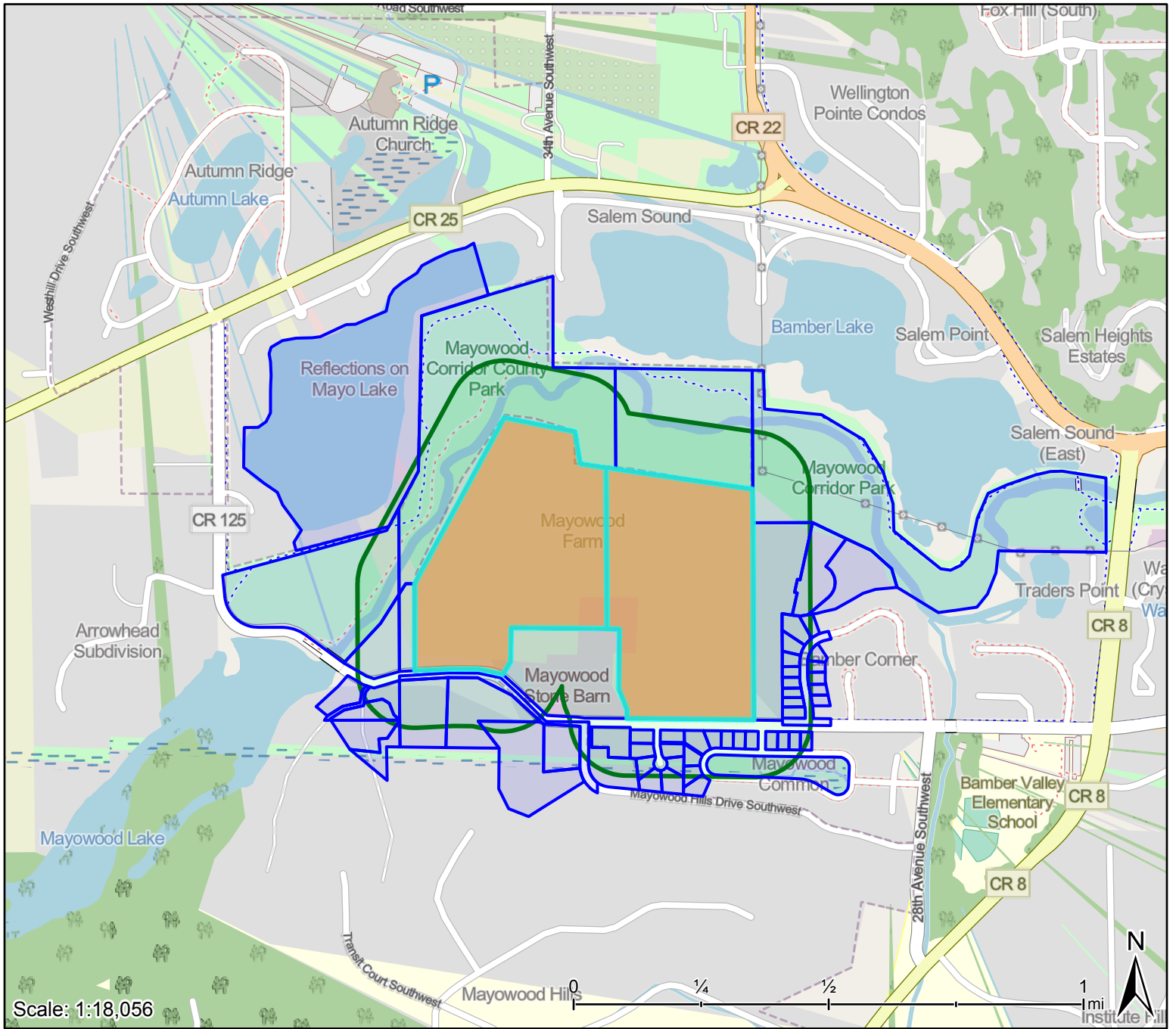
### ATTACHMENTS

1. Notification Map
2. Location Map
3. Major Land Subdivision Exhibit
4. Applicant Narrative
5. Review Comments
6. Major Land Subdivision Findings

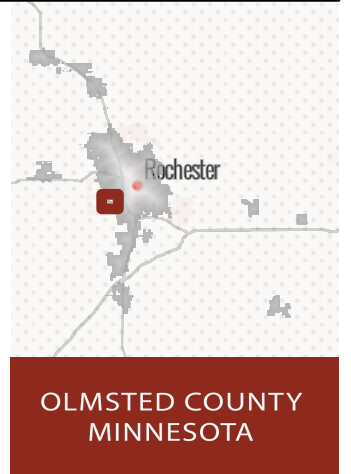
# Preserve of Mayowood NIM - Ward 1

3/1/2023

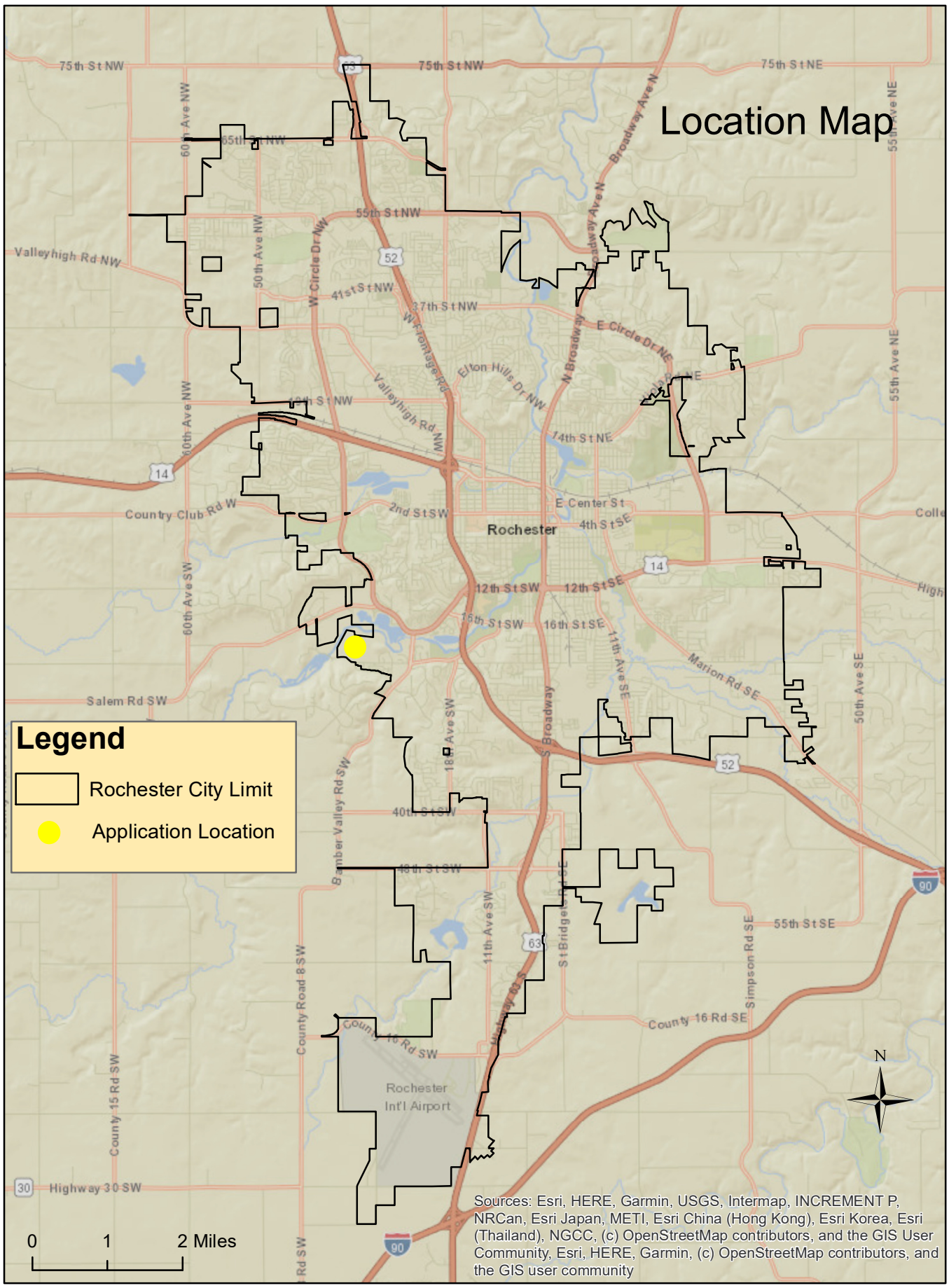
Olmsted County Geographic Information Systems





PINs: 079396 & 075944, 425 feet



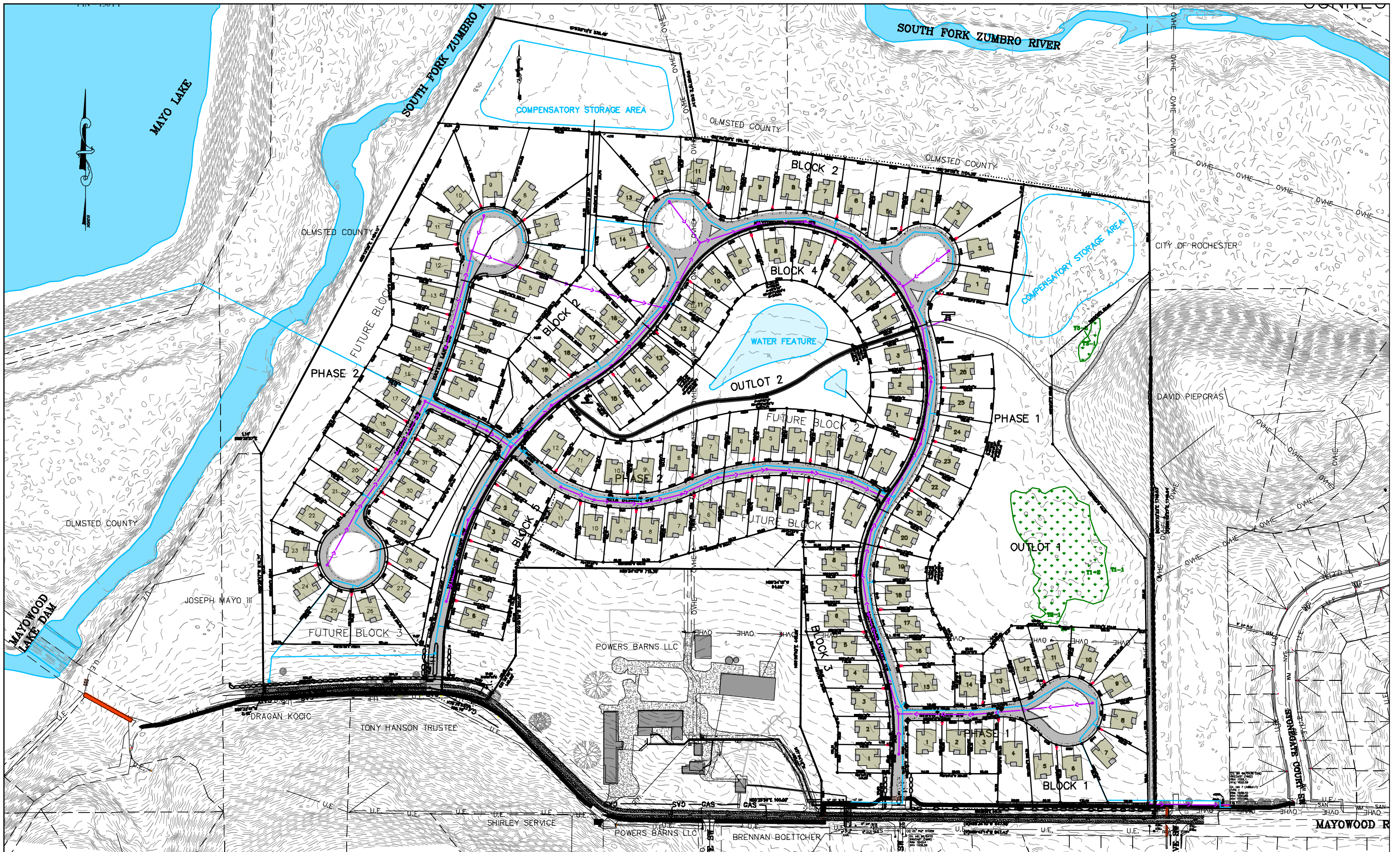
# Location Map



**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



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 M.R. Welch  
 MARK R. WELCH  
 DATE 4/26/2023 REG. NO. 42736

DATE: 03/09/2023  
 Prepared For:  
 Mayowood Lands LLC  
 2314 Scenic Park Place SW  
 Rochester, MN 55902  
 FILE NO.: 20-324 GDP

**G<sup>3</sup>**  
**G-Cubed**  
 14070 Hwy 52 S.E.  
 Chatfield, MN 55923

ENGINEERING SURVEYING PLANNING  
 Ph. 507-867-1666  
 Fax 507-867-1665  
 www.gcg.to

DESIGNED MRW  
 DRAWN ADB  
 CHECKED MRW

REVISED	BY	DATE
Lot Layout	ASH	03/09/2023
SUBMITTAL	ADB	4/26/2023

CITY OF ROCHESTER  
 OLMSTED COUNTY  
 BENCHMARK:

PRESERVE OF MAYOWOOD  
 PRELIMINARY PLAT OVERVIEW  
 SHEET 1  
 OF 6 SHEETS



April 26, 2023

Rochester Community Development  
4100 West River Parkway NW, Suite 100  
Rochester, MN 55901

RE: Preserve of Mayowood - Preliminary Plat submittal documents

Dear Community Development team,

Please accept this application for a Major Land Subdivision Permit (UDC Section 60.500.040.G) for the project known as Preserve of Mayowood. Project overviews and details follow.

Project overview:

Preserve of Mayowood will create 129 single family detached lots. All roads within the project will be private with all lawn, landscaping and amenities maintained by a Home Owners Association. This Major Land Subdivision Permit depicts development of the entire property. UDC Section 60.500.040.G.3.f.1 Phased Development, details the process we are requesting that allows the effective period of the land subdivision permit to be extended to up to 10 years.

There are currently two phases of development planned which are depicted on the plans. Phase One will include mass grading of the entire site and establishment of permanent vegetation in common areas/outlots which will be owned by the HOA. Underground utility work, roadway surfacing and platting will be 2023. Construction will include the entire loop road and cul-de-sac in the southeast corner of the property. A total of 74 lots will be platted in Phase One. Phase Two will include construction and platting of the remaining 55 lots. Phase Two is anticipated to be required around 2026 or 2027.

The project has been subject to the following prior reviews:

CD2022-001GDP - General Development Plan for Preserve of Mayowood - 7 conditions of approval and the status of addressing the comment.

1 - refers to proposed pedestrian facilities and the concept. We are preparing the offsite pedestrian facilities plan separate from the grading and construction plans. These plans are under development and will be submitted as soon any routes that require easements are approved by the impacted owner.

2 - request for parkland dedication - prior to final plat application, the developer will provide a Quit Claim Deed for the parkland area to the satisfaction of the Park Department.

3 - Shoreland Protection Permit - CD2023-001SPP was approved with conditions which allow the lots within the Shoreland to have reduced width down to 75 feet. The exhibit addressing the conditions of approval has been resubmitted to Community Development for review and all lots depicted on the plan are based on a minimum 80 feet of buildable width.

4 - Floodplain Protection Permit - CD2023-001FPP was accepted and is pending approval of revisions to submitted materials and additional documentation. Those materials and documentation are in the form of the updated No-Rise Certificate and Compensatory Storage Summary which is attached as item 4d with this submittal. There is no net loss of capacity for surface storage of flood waters as a result of the proposed grading/fill.

5 - Development Agreement - prior to final plat application, the developer will have requested and entered into a DA with the City. The DA request is pending the first review of the grading plan/drainage report.

6 - Truck access to the overhead transmission line in the northeast portion of the site. The developers will grant an easement to RPU Electric for a route across the outlot in the northeast corner of the property along a route that RPU can traverse with their trucks for maintenance of the overhead power lines to the north and east of this parcel. As part of development, a pathway will be graded from the private road near the lift station to the parkland including a route to the City property to the northeast.

7 - Secondary Access - Developments are limited to 50 units until a secondary access is provided. Phase One includes both accesses and the loop road which will satisfy this condition.

The UDC checklist has been completed and is attached. Supporting documents and narrative are listed below to aid in plan review/proof of conformance.

### **UDC Application Checklist Supplemental information:**

#### **Section 1: General Information**

#### **Section 2: Required Submittals - provided in order via email submittal**

- 1a UDC Application
- 1b UDC checklist
- 2 GIS Forms and Fee - (paid to Olmsted County)
- 3 TIS Determination
- 4a Wetland Delineation Determination R2021-003WET
- 4b Decorah Edge Summary
- 4c Floodplain - No-Rise Certificate and Compensatory Storage summary 4-26-2023
- 4e Shoreland exhibit
- 5a Preliminary Construction Plans
- 5b Preliminary Grading Plans
- 6 NIM meeting summary and exhibits - meeting date 4-4-2023
- 7 Approved/Active General Development Plan
- 8 Major Land Subdivision Exhibit
- 9 Preliminary Landscaping Plan/ Lighting Plan

#### **Section 3: Sections of Code to Review**

**A: 60.400.020E - Dimensional Standards** - R-1 - Minimum Lot area 5000 sq ft and 60 foot lot width (75' with Shoreland) - All lots are a minimum 80 foot wide at building pad and exceed 5000 sq ft. Building setbacks and height criteria will be reviewed at the time of individual building permits.

#### **B: 60.400.030 - Subdivision Standards**

E - Adequate Public Facilities - Parkland dedication will be met via deeding land identified in the GDP process. Boulevard Trees are not required based on Mayowood Road being a County Road and the private streets in the development. Note the development team does plant many trees within their developments and this project will be no different. Mayowood Road is a County Road and a traffic study was performed specific to this project. No offsite street improvements are required to allow development to proceed. There is a lack of pedestrian facilities along Mayowood Road and the developer has a concept plan that is being designed which will link the existing trails as one project pending approval and funding. Water is

stubbed into the property and an offsite connection to the east is available for connection/looping. Sanitary Sewer is also to the east for connection. The offsite easements will be provided to the City by the adjacent owner whom we are working with on a simple lot split which will also require dedication of public easements/right of way. The property is too low to be served by gravity sanitary sewer so a lift station has been designed to pump the captured sewage to the public gravity main. The lift station and force main will be private and maintenance funded by the HOA. The site has minimal offsite drainage coming onto it and the grading and drainage plan accounts for onsite treatment and erosion control during construction. Natural Gas is available for the site as are communications lines and electrical power. The existing overhead line will be buried by RPU Electric once all grading and street construction is completed. Grading will need to be performed around the existing posts until which time the power lines may be removed/rerouted/buried. All other requirements regarding funding/easements/dedication and approvals are being worked on or will be requested at the appropriate time through the design phase and prior to final plat application.

G - Lot Design Standards - all design standards are met.

H - Roadway Design Standards - the roads will be private but the widths (back curb to back of curb) are full width with the narrowest street measuring 29.34 feet and the widest street measuring 35.34 feet. The wider road is the looping road which will have a white strip painted four feet in from one side of the curbing (inside of the loop) which will be for pedestrians to use and will be posted "no parking" on that side. Note that the 29.34 foot wide road will be posted "no parking" on one side.

I - Boulevard Trees - because Mayowood Road is a County Road and the streets are private, boulevard trees are not required. The developer will be providing a number of plantings as they have in all of the development they have been part of in Rochester.

J - Private Roadways - Private Roadways were designed and will be constructed to be compliant with this section. See Part H above.

K - Street Classification - all private streets will be local

M - Parkland Dedication - per conditions of the GDP, parkland dedication will be made via a Quit Claim Deed for land along the east boundary which will connect to the City lands at the northeast corner of the property. The developer will grade a trail as part of the mass grading of the site. The sanitary sewer force main will be routed along this pathway.

### **C: Access and connectivity (60.400.040C)**

C.3 – Street Layout Standards - The subdivision is all private roads which were designed to be compliant with parts a thru g when applicable.

C.6 - Pedestrian and Bicycle Connectivity and Circulation - As private streets, sidewalks are not required. Private pedestrian facilities are incorporated into the design for the benefit of the residents.

### **D: Sensitive Lands, Stormwater and Drainage (60.400.050)**

60.400.050E - Wetlands - See R2021-003WET submittal 4c - onsite wetlands will not be disturbed by the project. They will be located in an Outlot which will be under the ownership and control of the Home Owners Association. Drainage plans/treatment ensures all runoff to the wetlands is treated before it reaches them and that drainage routes have not greatly increased or decreased the rate/volume of runoff reaching the wetlands.

60.200.040D - Decorah Edge Overlay - See Decorah Analysis submittal 4b. A small area in the southwest corner of the site along Mayowood Road is mapped in the Decorah Edge Overlay. Soil samples were taken and a report is provided with the findings. There are no Decorah Edge Features which require protection.

60.200.040E - Floodplain Overlay - See CD2023-001FPP submittal 4d

60.200.040F - Shoreland Protection Permit - See CD2023-001SPP submittal 4e

NOTE:

Submittal Items 9 and 10, the Preliminary Landscaping/lighting plan exhibit and material spec sheets provided are conceptual of what the developers are proposing. The three grass plantings are a highly maintained yard, a lower maintenance boundary and a very low maintenance prairie/pollinator mix that will be planted on the outer limits of the development. For lighting they are proposing to install bollard type lights with overhead street lights only at intersections proximity to CBU mailbox locations. Bollard lights will also be installed along the internal pathways. The trees shown are less than will likely be planted and there will be additional landscaping at the drive entrances which are not depicted at the scale of the exhibit. The plan will be expanded upon as items move to final design.

If you have any questions or concerns, please feel free to call our office at 507-867-1666, ext 105.

Sincerely,

Mark R Welch, PE

Cc: Mark D Hanson - developer  
Gene Peters - developer  
Joe Powers - developer

# Agency Review Comments

Application No: CD2023-003PLAT

---

5/12/2023 **County Environmental Resources**

5/10/2023 **County GIS/E911**

See attached document PreserveOfMayowoodPP\_Referral.pdf

5/12/2023 **County Long Range Planning**

This property is subject to the Floodplain Development Permit #CD2023-001FLOOD and Shoreland Development Permit #CD2023-001SPP. No building permits shall be issued for properties located in the special flood hazard area as shown on the Floodplain Development Permit until a Letter of Map Revision based on fill (LOMR-F) until the effective date of an approval by FEMA.

5/12/2023 **Fire Review**

5/8/2023 **Park and Rec Review**

See attached comment in Accela software.

5/12/2023 **Public Works Review**

See attached comment in Accela software.

5/12/2023 **RPU Electric Review**

Items to be addressed prior to application approval:

All easements shown in the attached file are required. CD2023-003PLAT - RPU Electric Comments 5-12-23

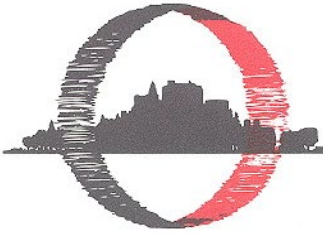
Additional Comments:

-Work with RPU on project phasing. OH line will remain in place until the new mainline is installed. Easements recorded, route to final grade, etc.

-Provide electrical load information for water feature and lift station. This information will determine final design.

5/5/2023 **RPU Water Review**

See RPU Water Department Review Letter. A plan review mark-up has been directly emailed to the applicant and applicant's consultant.



**OLMSTED COUNTY PLANNING DEPARTMENT**

2122 Campus Drive SE, Suite 100, Rochester, MN 55904-4744

www.co.olmsted.mn.us/planning

COUNTY OF  
*Olmsted*

Phone 507 328-7100 • Fax 507 328-7958

**PRESERVE OF MAYOWOOD  
PRELIMINARY PLAT REFERRAL**

DATE: MAY 10, 2023  
TO: MAYOWOOD LANDS, LLC (MARK HANSON), MARK WELCH (G-CUBED)  
FROM: ADAM NOWINSKI  
CC: DAVID MCCOLLISTER  
RE: PRESERVE OF MAYOWOOD PRELIMINARY PLAT GIS REFERRAL

A review of the PRESERVE OF MAYOWOOD PRELIMINARY PLAT to determine any existing or potential GIS, ROADWAY, or ADDRESS related issues are present shows the following:

- 1) Preliminary Plat GIS Impact, Final Plat GIS Impact and E911 Addressing fees are applicable and fee payments are payable to the Olmsted County Planning Department.
- 2) Street names have been validated.
- 3) Addresses will be assigned after all fees have been paid and the final plat has been officially recorded by Olmsted County.

To address issues listed above, please contact our office.

*Adam Nowinski GIS Specialist / Addressing 507-328-7142*



**ROCHESTER PARK AND RECREATION  
DEPARTMENT REFERRAL COMMENTS FORM**

**DATE:** May 8, 2023  
**TO:** Community Development  
**RE:** Preserve of Mayowood  
 CD2023-003Plat

Acreage of plat.....	89.15 acres
Number of dwelling units.....	129
Density factor.....	0.0244
Dedication .....	3.14 acres
Fair market value of land.....	

**PARK DEDICATION REQUIREMENTS**

- As land subdivision is occurring for residential purposes the Parkland Dedication Ordinance is applicable. Parks and Recreation staff have identified this area as being in need of a public park. The preliminary plat shows a 3.14 acre park on the east side of the development which is acceptable to the Parks Department. Dedication requirements should be met via: land dedicated via an easement or deed prior to recordation of the final plat. Dedication shall include the public trail access shown along the east property line of the development from the ROW of Mayowood Rd SW to the proposed park location.

**BOULEVARD TREE REQUIREMENTS**

- All roads within the development are shown as private so no boulevard trees are required. Should the roads be made public, boulevard trees would be required at 50' on center. Mayowood Road SW is a county road so no boulevard trees are required along its frontage.

TO: Community Development  
4001 West River Parkway NW, Suite 100  
Rochester, MN 55901-7090

FROM: Mark E. Baker

RE: Preserve at Mayowood Major Land Subdivision  
(PINs 79396 & 75944)

DATE: 5/12/23

The Department of Public Works has reviewed the application for Major Land Subdivision CD2023-003PLAT, and the proposed Preserve at Mayowood development. The following are item(s) that need to be addressed prior to Final Plat application:

1. Civil Plans & Stormwater Management Plans have been submitted and are under review. Approval will be required prior to submittal of the Final Plat.
2. There are inadequate on and off site public facilities, specifically public roadways, sanitary sewer, public water, storm water management facilities, and pedestrian facilities existing to accommodate the development of this Property. No development will be allowed to occur until the City Council has determined that all required public facilities are adequate for said development. In lieu of waiting for all facilities to be in place prior to development, the Owner may request that the City prepare a Development Agreement for Owner's execution to memorialize terms and obligations specific to development of this Property. If an agreement is requested, execution would be required prior to Final Plat submittal. The Agreement would outline the Owner's and City's obligations related, but not limited to: access, stormwater management (including any obligations for on or off-site facilities), transportation improvements (including any off-site improvements necessary to accommodate this development), pedestrian facilities, contributions for existing & future public infrastructure, and the extension of public utilities to abutting properties where applicable, and execution by the property owner would be required prior to submittal of the final plat. Please contact Mark Baker at [mbaker@rochestermn.gov](mailto:mbaker@rochestermn.gov) to initiate preparation of the agreement.

**Other comments that are not conditions of approval:**

1. The TIS waiver is approved for this application.
2. Execution of a City-Owner Contract, and dedication of any applicable on and off-site public easements is required for each phase of development, prior to construction of any public infrastructure to serve each development phase within the Property.
3. Development charges/fees applicable to the Property will be addressed in City-Owner Contract and / or Development Agreement and include (rates provided are valid through 12/31/2023): The Property is subject to a Water Availability Charge (WAC) @ \$3,321.66 per developable acre, a South Zumbro TSR Charge @ \$41,833.76 per developable acre, and a Storm Water Management Plan Area Charge (SWMPAC) @ \$4,103.73 per acre for low density residential development, signage as determined by the City Traffic Engineer. Individual lot development is subject to a Plant Investment Fee (PIF) that collected as part of the Building Permit approval process.
4. Consistent with the conditions of GDP approval, a pedestrian path will be constructed by developer from the east line of the property to the west line of the property, along the south side of Mayowood Rd SW. The detailed terms for this construction will be addressed in the Development Agreement.

Sent to Planning Department via Accela only.



May 5, 2023

COMMUNITY DEVELOPMENT DEPARTMENT  
4001 West River Pkwy NW, Suite 100  
Rochester, MN 55901

REFERENCE: Major Land Subdivision (Preliminary Plat) CD2023-003PLAT by Mayowood Lands, LLC to be known as Preserve At Mayowood

Our review of the referenced preliminary plat is complete and our comments follow:

1. We have uploaded to Accela a .pdf with our comments/mark-ups on the proposed water system layout.
2. Final construction plans will need to conform to the latest standard City of Rochester and MN Department of Health requirements.
3. Static water pressures within this area will range from 53 PSI to 65 PSI depending on final grades.
4. The Fire Prevention Bureau will need to comment on the location of the proposed fire hydrants.
5. The owner would be required to enter into a City Owner Contract with the City of Rochester for the installation of the public water main and other public infrastructure. Contact Mark Baker (507-328-2427) at the Public Works Department for details.
6. A 12" water main was previously extended into the Mayowood Stone Barn property with a 20' UE dedicated for future extension to the north. This connection would provide redundant supply to the Stone Barn property and eliminating the dead end would improve circulation and water quality. If this connection is not made as part of this project, the owner/developer of the Preserve at Mayowood shall provide a letter signed by Powers Barns, LLC, the owner of the Stone Barn property, indicating their acknowledgement of the following: 1) they are aware that the water in the dead end 12" water main can become stagnant with low use; 2) they are satisfied with the current water quality; 3) they are comfortable without a redundant (two way) feed. If a letter from Powers Barns, LLC is not submitted, the proposed water system for the Preserve at Mayowood shall be revised to connect to the existing 12" water main and extend through the remainder of the Stonewood Barns Property as originally planned.
7. A 20' Water Main Utility Easement shall be provided between lots 6 and 7 of Future Block 1 to allow for looping water main in the event that there are persistent water quality issues at Mayowood Stone Barn. No water main shall be installed at this time.

Please contact us at 507-280-1505 if you have questions.

Very truly yours,



Wade Neubauer  
Water

C: Luke Payne, RPU  
Jerry Norman, Building Safety  
Mark Baker, City Public Works

Brent Bunke, RPU  
Gary Schick, Building Safety, Plumbing  
Chris Ferguson, Fire Prevention Bureau

#### 4) Criteria for Major Land Subdivision Permit Approval

The Planning Commission shall recommend, and City Council shall approve, a Major Land Subdivision Permit, if it determines that the following criteria are met:

- a) The proposed land subdivision is consistent with the adopted Comprehensive Plan.
- b) The proposed land subdivision conforms to all standards in this UDC, unless a Minor Modification, Major Modification, or Variance for any deviation from the standards in this UDC has been approved pursuant to this UDC.
- c) The proposed land subdivision permit is consistent with any approved and applicable General Development Plan, Conditional Use Permit, and/or Traffic Impact Study.
- d) The proposed land subdivision will not result in a violation of federal or state law or city or county ordinance.
- e) The proposed water system and sanitary sewer system are adequate to serve the normal and fire protection demands of proposed development and to provide for the efficient and timely extension to serve future development.
- f) The plan for soil erosion and stormwater management meets the adopted standards of the City of Rochester and is consistent with the adopted Stormwater Management Plan or adopted drainage or stormwater policies.
- g) The vehicular, pedestrian, transit and non-motorized system is consistent with adopted transportation plans and is consistent with the street layout standards listed in Section 60.400.040C Subdivision level Connectivity and Circulation and applicable traffic service standards.
- h) The soils, topography and water tables have been adequately studied to ensure that all lots are developable for their designated purposes.
- i) The proposed subdivision will not have off-site impacts on the street, drainage, water, or wastewater systems that exceed adopted standards.
- j) The lot and block layout provide for safe and convenient pedestrian, non-motorized vehicle, transit, vehicular, service and emergency access, efficient utility service connections, and adequate buildable area in each lot for planned uses.
- k) The proposed subdivision has taken into account the current six-year and other Long-Range Capital Improvements Programs and the elements listed in those programs in the design of the subdivision.
- l) The proposed subdivision will not have adverse impacts on the safety or viability of permitted uses on, or the efficient continued development of, adjacent properties.
- m) Rights-of-way and easements of adequate size and dimension are provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.

- n) The proposed parks, trail thoroughfares, and open space dedications are consistent with adopted plans, policies, and regulations.
- o) If located in a residential zoning district, the subdivision addresses the need to avoid spillover parking from subdivision residents into surrounding residential districts.
- p) For any land located within the Special Flood Hazard Area of the FPO – Floodplain Overlay:
  - i) The proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, or any other floodplain related risks to the health, safety, or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance;
  - ii) Each lot contains a potential building site located outside of the Floodway District at or above the regulatory flood protection elevation;
  - iii) Adequate drainage is provided to reduce exposure of flood hazard;
  - iv) For all subdivisions containing land within the Floodway and/or Flood Fringe District boundaries, the regulatory flood protection elevation and the required elevation of all access roads are clearly labeled on all required subdivision drawings and platting documents;
  - v) The subdivision provides road access both to the subdivision and to the individual building sites no lower than two feet below the regulatory flood protection elevation; and
  - vi) All public utilities and facilities, such as sewer, gas, electrical, and water systems, are located and constructed to minimize or eliminate flood damage.