



**Planning & Zoning Commission Agenda  
Rochester Boards & Commissions - Planning & Zoning Commission  
August 9, 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: 452 136 905#  
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 July 26, 2023**

Accepting the minutes and video of the July 26, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

**5. Reports and Recommendations**

**5.A. Interim Use Permit No.CD2023-001 to allow for excavation of bedrock located at 2660 Broadway Ave by Sawyer Construction Services Inc.**

Forwarding a recommendation of Denial to the City Council on Interim Use Permit No.CD2023-001, finding that the request does not meet the threshold for Interim Use Permit approval provided in Section 60.500.040.M.4.e. of the Unified Development Code.

- 6. Public Hearings**
- 7. Other Business**
- 8. Adjournment**



## **REQUEST FOR ACTION**

Minutes of July 26, 2023

**MEETING DATE:**  
August 9, 2023

**ORIGINATING DEPT:**  
Community Development

**AGENDA SECTION:**  
Consent Agenda

**PRESENTER:**  
Chair

### **Action Requested:**

Accepting the minutes and video of the July 26, 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:**

[Minutes - July 26, 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
Aaron D Eberhart	Present
Joanne Crawford	Present
Jonathon P Krull	Present
Robert A Cline	Absent
Alissa T Moe	Absent
Jeremy C Andrist	Absent

3) **Order of Agenda.**

Motion to approve Order of Agenda.

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

4) **Consent Agenda.**

Cover Page

Minutes - July 12, 2023

Motion to approve the July 12, 2023 meeting minutes.


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


5) **Reports and Recommendations**


6) **Public Hearings**


6.A) Zoning Map Amendment No. CD2023-006ZC by Olmsted County


**Official Act:** Forwarding a recommendation to Council approving Zoning Map Amendment No. CD2023-006ZC, by Olmsted County, to change the Zoning District designation of an 84-acre site from R-1 (Mixed Single-Family) and R-2 (Single-Family Small Lot) to LI (Light Industrial).


[Cover Page](#) 


[Staff Report - CD2023-006ZC Olmsted County PW](#) 


[Notification Map - CD2023-006ZC Olmsted County PW](#) 

[Site Location Map - CD2023-006ZC Olmsted County PW](#) 

[Rezone Exhibits - CD2023-006ZC Olmsted County PW](#) 

[Applicant Narrative - CD2023-006ZC Olmsted County PW](#) 

[UDC Use Regulations Table - CD2023-006ZC Olmsted County PW](#) 

[Referral Comments - CD2023-006ZC Olmsted County PW](#) 

Elliot Mohler presented the staff report.  
Alex Schrader, representing the County spoke to the item.  
The Public Hearing was opened.  
Having no persons wishing to speak, the public hearing was closed.  
A conversation ensued between the Commissioners and Staff

Motion to forward a recommendation of APPROVAL for Zoning Map Amendment CD2023-006ZC with the findings and support outlined in the Community Development Memo dated July 26, 2023.

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

7) **Other Business**

8) **Adjournment**

Motion to adjourn.

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



## **REQUEST FOR ACTION**

**Interim Use Permit No.CD2023-001 to allow for excavation of bedrock located at 2660 Broadway Ave by Sawyer Construction Services Inc.**

**MEETING DATE:**

**August 9, 2023**

**ORIGINATING DEPT:**

**Community Development**

**AGENDA SECTION:**

**Reports and Recommendations**

**PRESENTER:**

**Desmond McGeough**

### **Action Requested:**

Forwarding a recommendation of Denial to the City Council on Interim Use Permit No.CD2023-001, finding that the request does not meet the threshold for Interim Use Permit approval provided in Section 60.500.040.M.4.e. of the Unified Development Code.

### **Report Narrative:**

This application seeks approval of land disturbance activities that have been identified by the City Engineer as having adverse impacts on surrounding properties.

This Interim Use Permit application is associated with a Site Development Plan (SDP) application CD2022-034SDP, which, if approved, would allow the property to be developed with two commercial buildings. During SDP and Grading Plan reviews, it was determined that the proposed development creates a significant land disturbance having a total removal of 5,975 cubic yards of earth notched out on three sides of the west-facing bluff, thus requiring an Interim Use Permit prior to SDP approval and issuance of a grading permit.

**Description of excavation proposed earthwork:**

- Raw Cut Volume                      5,975 cubic yards
- Cut horizontal depth                72 feet deep into slope
- Cut width                                103 feet wide
- Maximum cut height                38 feet
- Back wall height range            29 feet to 38 feet
- Maximum slope                      80.5° incline

### **Priorities & Foundational Principles:**

Economic Vibrancy & Growth Management  
Environmental Stewardship

### **Policy Considerations & DEI Impact:**

Comprehensive Plan Core Principles of Enhancing the Integrity of Existing Neighborhoods and Maintaining Commitment to Health, Wellness, and the Environment.

### **Prior Legislative Actions & Community Engagement:**

A Neighborhood Informational Meeting was held on June 29, 2023, at Evangel United Methodist Church.

**Prepared By:**

Desmond McGeough

**Attachments:**

Staff Report - CD2023-001IUP

Notification Map - CD2023-001IUP

Location Map Exhibit - CD2023-001IUP

Narrative - CD2023-001IUP

Applicant Exhibits - CD2023-001IUP

Slope Stability Report - CD2023-001IUP

Agency Review Comments - CD2023-001IUP

**ROCHESTER PLANNING COMMISSION**

August 9, 2023

**Prepared by:** Rochester Community Development

**Request:** Interim Use Permit Request #CD2023-001IPU to allow for excavation of bedrock located at 2660 Broadway Avenue N.

**Location:** The site is located on the east side of Broadway Road, 700 feet south of Rocky Creek Drive (PID # 079151)

**Property Owner:** Sawyer Construction Services Inc.

**Applicant:** WSE Massey Engineering & Surveying

**PLANNING COMMISSION SUMMARY**

**Application Type:** Interim Use Permit

**Decision Body:** City Council

**What is Considered:** The Interim Use Permit (IUP) is an application that reviews certain land disturbing activities which have been identified by the City Engineer as having adverse impacts on surrounding properties. When an Interim Use Permit is required, a grading and stormwater management plan may not be approved, unless consistent with an Interim Use Permit approved by Council.

Other site development considerations associated with a project such as; architecture, site layout, building orientation, site landscaping, and parking, are not germane to the specific request.

Council will look specifically at the Interim Use Permit Criteria of the Unified Development Code, Section 60.500.040M, when making a determination.

The Development Review Team has provided its professional analysis and proposed findings in the Analysis section of this report.

**Development Review Team Recommendation: Denial**

The review team recommends denial, finding the request does not meet the threshold for IUP approval outlined in the Unified Development Code Section 60.500.040.M.4.e (1 through 3). The primary concern regarding this request pertains to the proposed vertical rock faces, which can expose all three adjacent properties to a risk of slope failure. Deterioration of the rock face will occur over time and possibly onto adjacent properties given the lack of a buffer. Additionally, the review team also finds the proposed grading activity and mitigation action will create other substantial adverse impacts, including

- Potential unstable slope conditions
- Insufficient stormwater control causing potential deterioration of exposed rock

- Increased erosion and instability of required bufferyard area due to tree removal
- Reduction of aesthetic quality of Rochester's natural environment& landscape.
- Reduction of wildlife habitat

## PROJECT BACKGROUND

### Background

This Interim Use Permit application is associated with A Site Development Plan (SDP) application CD2022-034SDP, which if approved, would allow the property to be developed with two commercial buildings. During the Site Development and Grading Plan review, it was determined that the proposed development would create a significant land disturbance having a total removal of 5,975 cubic yards of earth notched out on three sides of the west facing bluff, thus requiring an Interim Use Permit to be approved by the City Council.

### Description of excavation proposed earthwork

- Raw Cut Volume                      5,975 cubic yards
- Cut horizontal depth                72 feet deep into slope
- Cut width                                103 feet wide
- Maximum cut height                38 feet
- Back wall height range            29 feet to 38 feet
- Maximum slope                      80.5° incline

A Slope Stability Report (SSR) was prepared by a licensed professional and submitted as part of the CD2023-001IUP application. The conclusion of the SSR was that the excavation could be done safely if measures were taken to remove all overstory trees from the buffer yard at the top of slope toward the east property line to minimize the risk of trees toppling over in storms and potentially causing landslides, and if measures were taken to minimize concentrated storm water flows over the sand face.

It is the City Engineer's position the proposed grading activity and mitigation actions creates substantial adverse impacts, which doesn't meet the requirement for IUP approval outlined in the Unified Development Code Section 60.500.040.M.4.e.

## ADJACENT ZONING AND SURROUNDING LAND USES

### East:

Zoned R-3 (Medium Density Residential). Mixed Use Transit Oriented Center Land Use Designation. Subject area is currently undeveloped with previous quarry activity on site.

### North:

Zoned MXT-Corr (Mixed Use Transit Corridor) with office structure.



West:

Zoned MXT-Corr (Mixed Use Transit Corridor) with church facility.

South:

Zoned MXT-Corr (Mixed Use Transit Corridor) with office and retail business structures,

## REQUEST ANALYSIS

### Analysis

Please note a substantial land disturbance criteria primarily is found in section 60.500.040.M.4.e (subsections 1 through 3). Criteria b and c do not apply to a substantial land disturbance IUP.

### **UDC Section 60.500.040M**

#### 4. Criteria for Interim Use Permit Approval

The Planning Commission shall recommend approval, and the City Council shall approve the application, or approve it with conditions, if it complies the following criteria:

- a. The application complies with all applicable provisions of Chapter 7-5, Rental Unit Registration, of the Rochester Code of Ordinances and the criteria in Section 60.500.030E.3.a.3), except that the interim use of the property need not be a Permitted or Conditional Use of the property allowed in the zoning district where the property is located;

***The application complies with this criteria***

- b. The proposed use complies with all applicable standards for that use listed in Section 60.300.020, Use-Specific Standards, in the zoning district most similar to that in which the interim use is located, as determined by the Community Development Director;

***This criteria is not applicable, there is no use-specific standards for major land disturbance in Section 60.300.020***

- c. The application does not involve or require the construction of any permanent structure with a useful economic life longer than the term of the Interim Use Permit;

***This criterion is not applicable as this request is being made to facilitate the issuance of a grading permit in accordance with Section 60.500.060I.4.f of the UDC that would allow a 38' high cut into the hillside.***

- d. Pursuant to Section 60.500.030E.7 Financial Assurances, the applicant has provided financial assurance adequate if the Community Development

Director determines that such assurance are necessary to ensure that the Interim Use will be terminated and any structures related to the interim use be removed (unless the City consents to the continued existence of those structures) at the end of the interim use period; and

***There will be no permanent structure associated with this land disturbance related to site grading. There is a site development plan currently in staff review that would allow the construction of a 40'x40' storage building at the completion of site grading where the land is proposed to be excavated.***

- e. If the application related to land disturbing activities that the City Engineer determines, pursuant to Section 60.500.060I.2.c, require an application for an Interim Use Permit, the applicant has given the City adequate assurances (which may include financial assurances) that the activity will not
- 1) create substantial adverse impacts on surrounding properties during or after the Interim Use period or

***There may be adverse impacts associated to grading activity on site to the properties in the immediate vicinity. Such typical adverse impacts include noise and dust, as would be anticipated during excavation. However, It is the City Engineer's position that the proposed grading activity and mitigation actions creates substantial adverse impacts, which doesn't meet the requirement for IUP approval outlined in the Unified Development Code Section 60.500.040.M.4.e. Substantial adverse impact of this proposal is based on the following four issues identified below:***

- ***All existing tall over-story trees located along the east property line above the proposed excavation must be removed.***
- ***Grading activity above the proposed excavation to the east property line may create unstable conditions for the soils that lie on top of the hill which can prompt sloughing.***
- ***Approximately 0.3 acres of offsite drainage is currently routed over the proposed excavation area. No provisions have been provided to accommodate this water within the site to prevent deterioration of the exposed rock face.***
- ***This proposed final grading is not consistent with neighboring parcels. The proposed plan maximizes the developable acreage within the parcel by excavating the hillside to the east and up to each adjacent property***

**boundary to the maximum extent possible. The proposed excavation creates near vertical rock faces that would expose all three adjacent properties to a risk of failure. Deterioration of the rock face will occur over time and possibly onto adjacent properties given the lack of a buffer.**

- **Concentrated flow from the top must be managed on the adjoining parcel to the east if the old quarry site is developed, which would require a water diversion or drainage catchment and drain tile above the proposed buffer yard on this parcel. It is necessary as to prevent any concentrated flows that could induce erosion or create a landslide hazard**

- 2) Allow the land to be used for purposes that are inconsistent with the Comprehensive Plan after the Interim Use Permit period, and

***This is the expansion of an existing retail business use in the subject zoning district. Retail sales are permitted in this zoning district. However, the Development Review Team finds the extent of the proposed excavation activity is in conflict with sections of the P2S comprehensive plan. The Comprehensive Plan identifies that Rochester's natural features have been a key element shaping the development of the city over time. Creeks, karst topography, and the Zumbro River have been important identifying features of City of Rochester, since settlement of the City. The bluffs and hillsides that dot the landscape of the City and Southeast Minnesota uniquely characterize this area apart from vast portions of the State. These sensitive landscape features should continue to inform development patterns, site development and growth within the city.***

P2S Comprehensive Plan Goal & Objective Considerations



## Goal/Policy

4. Use a Development Vision to define the city's character.
4.2. Support preservation of structures and sites that represent our community's heritage.
9. Ensure new development is compatible with the surrounding area and community.
9.1. Address transitions between areas of differing types of activity and scale of development so that new development opportunities within the existing urban fabric are implemented without adverse impacts on local character and appearance.

- 3) adversely affect the scenic quality of Rochester or the natural landscapes, environment, wildlife and wildlife habitat; or if such effects are anticipated to occur.

***It is the position of the Development Review Team the subject request adversely affects the scenic quality of Rochester's natural landscape and wildlife habitat. Additionally, there are concerns with possible inconsistencies between the Site Development Plan and the requirements of the Slope Stability Report relating to bufferyard plantings and removal of tall overstory trees.***

***It is probable that the bufferyard requirements are currently met with existing vegetation on the site, and the site plan shows existing vegetation that will remain in the bufferyard. However, the slope stability report recommends removal of all over story trees. The removal of all overstory trees on the site will have significant visual impact on this section of Rochester's Broadway Corridor potential increased slope erosion of the bufferyard area.***

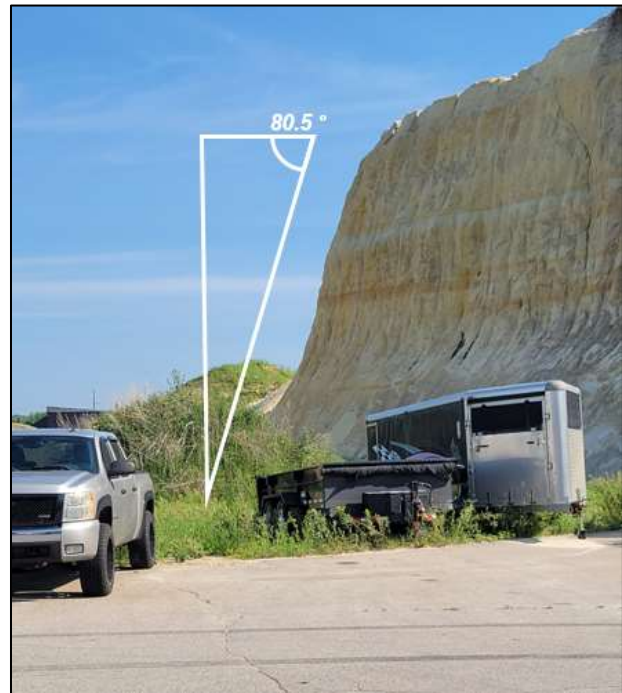
***It is unknown how many "overstory" trees are proposed to be removed to make a complete assessment of the condition of the proposed bufferyard. Because of extent of the total area of exposed rock, more specific detailed information is needed about the vegetation that will remain above since amount of existing vegetation that will remain after excavation has significant bearing on visual character of the site.***

**Example: Height of 38' Cut**

The below example is located approximately 100' south of proposed excavation. This image shows a one sided cut. The IUP request proposes a three sided cut, creating a 72 foot deep notch in the hillside. The back wall of proposed excavation ranges in height from 29 feet to 38 feet high.



**Example: 80 degree slope:**  
Demonstrates degree of bedrock slope proposed for three sides of the proposed excavation



Aerial view of excavation area and location of existing escarpment on surrounding properties.



f. The date or event that will terminate the use can be identified with certainty

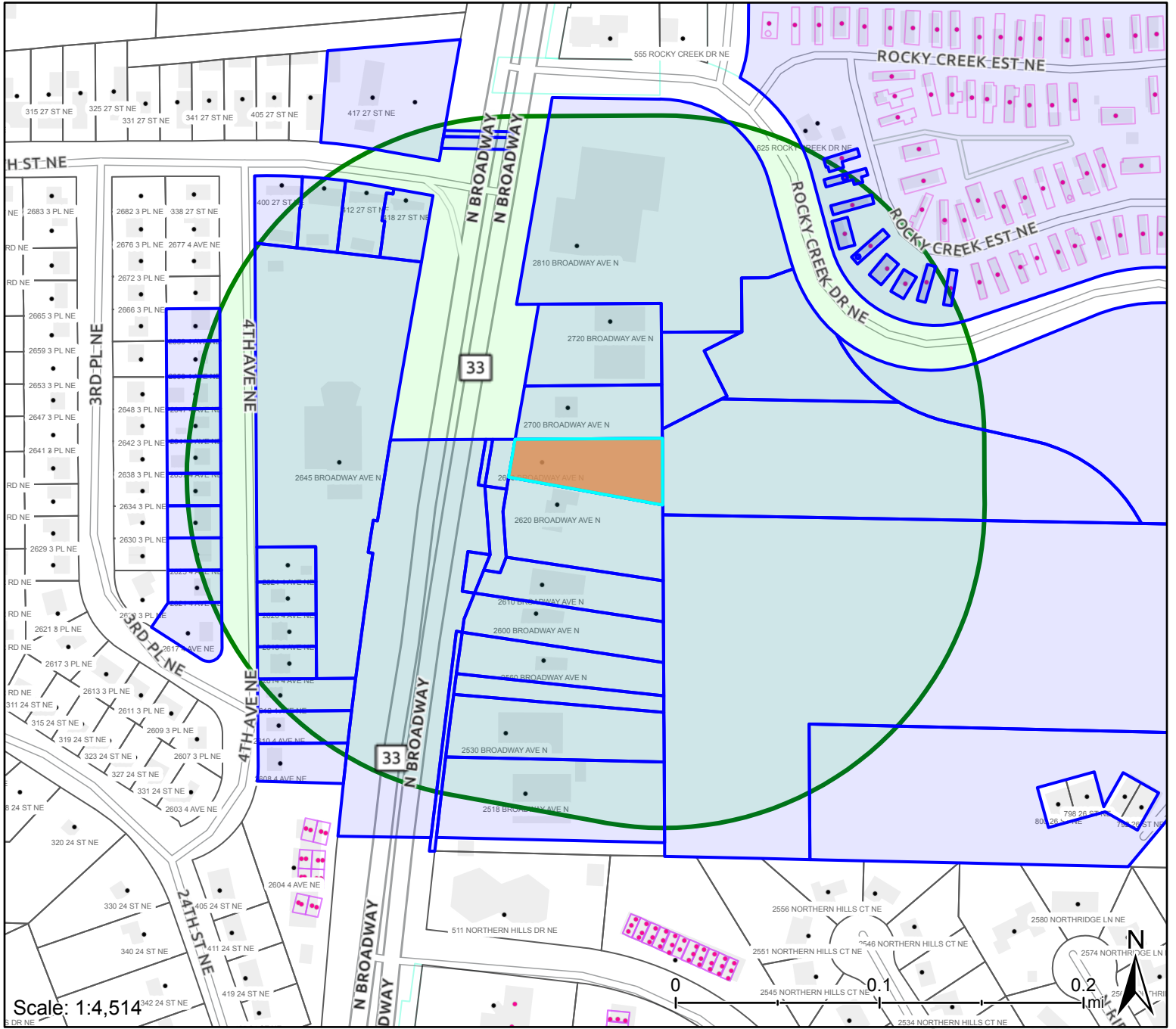
***The excavation activity will begin and conclude within one construction season.***

## ATTACHMENTS

1. Notification map
2. Site vicinity map
3. Applicant's Narrative
4. Applicant's Exhibits
5. Slope Stability Report
6. Referral Agency Comments
7. NIM Meeting Minutes

# ProCut Firewood NIM - Ward 5 600 feet

6/15/2023 Olmsted County Geographic Information Systems



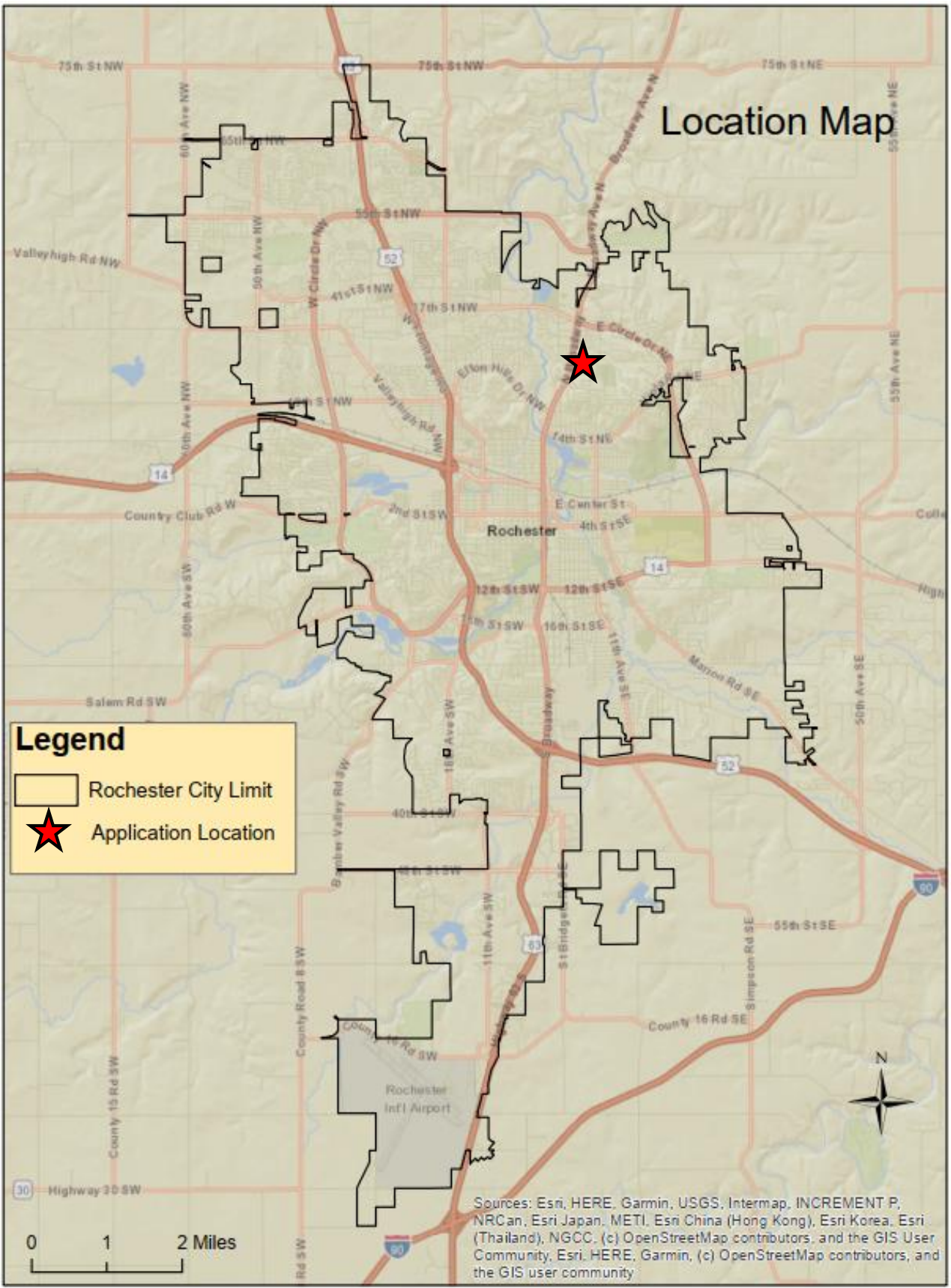
OLMSTED COUNTY  
MINNESOTA



# 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

33B EAST VETERANS MEMORIAL HIGHWAY KASSON, MN 55944  
320 WEST BROADWAY PLAINVIEW, MN 55964  
1765 RESTORATION ROAD SW ROCHESTER, MN 55902

**MAILING ADDRESS: PO BOX 100 KASSON, MN 55944**  
507.634.4505 | WSE.ENGINEERING



July 7, 2023

Community Development

4001 West River Parkway NW

Rochester, Minnesota 55901

Electronic Mail (CommunityDevelopment@rochestermn.gov)

**Re: ProCut Firewood Interim Use Permit Application**

To whom it may concern,

On behalf of our client, we are submitting an application for an Interim Use Permit for ProCut Firewood located at , PID 742433079151. This permit is a requirement of City staff in relation to SDP application CD2022-034SDP and Grading Permit Application R23-0011GF.

WSE + Massey Engineering and its partners have provided the following materials in support of this application.

1. Narrative Letter (This document)
2. Land Development Application
3. Check for the application fee of \$2,210.00
4. NIM Presentation Slides
5. NIM Sign-in Sheet and Minutes
6. Slope Stability Report and Supplemental Letter
7. Decorah Edge Notice of Determination
8. Site Development & Landscaping Plan
9. Grading and Utility Plan

This application was prepared by WSE + Massey and its partners in accordance with the Unified Development Code (UDC) Adopted 9/7/2022 and in effect since 1/1/2023. The section of the UDC pertaining to Interim Use Permits is 60.500.040.N. The following narrative is provided in support of the application according to the Criteria listed in 60.500.040.N.4 with additional supporting information as considered relevant by our team.

*WSE Engineering Services, LTD*  
[www.wse.engineering](http://www.wse.engineering)  
*With offices in Plainview, Rochester, and Kasson, MN*

## **Current Site Ownership and Operation**

The proposed site improvements are intended to serve the existing operation on the site which is ProCut Firewood. ProCut is locally owned and operated and has been serving the Rochester and surrounding area for 30 years. They produce high quality kiln-dried firewood for a variety of applications including wood burning stoves, fireplaces, saunas, pizza ovens, and smokers. Their wood is purchased by residents, restaurants, landscapers, and wholesale by other businesses. The Rochester location houses approximately 10% of their operation, with one kiln on site, and has been used for retail sale of their wood products since opening eight years ago. The original Site Development Plan (#R2014-050SDP) was approved under the B-4 zoning district. The zoning was changed to TOD by council action and the current operation is considered an existing non-conforming use based on the prior approval. The success of this retail operation has prompted ProCut to seek more of the available space within their site to support this part of the business.

ProCut meets the stringent requirements to be certified by the Minnesota Department of Agriculture to heat-treat infested wood and make it free of invasive species. When the City had a widespread infestation of emerald ash-borer, ProCut was there to provide a drop-off location to heat treat emerald ash-borer infested wood at no cost to the City of Rochester, its contractors, or its residents. Once treated, the sterile wood can be distributed anywhere within the United States and is guaranteed to not spread invasive species. The other common outcome for trees removed for infestation is expensive mass disposal, often where the infested trees are not sterilized while stockpiled and the emerald-ash borer may survive for longer periods time. From 2018 to 2020 it is estimated that 8,000 infested trees were removed in the City of Rochester, a substantial portion of these were ultimately processed and sterilized by ProCut, avoiding other means of disposal. These repurposed products are great for distribution nationally to other markets where wood-burning fireplaces are essential for residents to weather winter climates.

## **Existing Conditions**

The current site is 0.63 acres, of which approximately 0.39 acres is used for ProCut operation. The east side of the lot is an existing bedrock cut that is approximately 22' tall. This is part of a rock face that extends over 1,400 feet along Northern Hills Dr NE and N Broadway Ave. The lot widens to the east, making the most usable space on the east end of the site. The adjacent property to the south has an existing rock face approximately 47' tall.

## **Proposed Condition**

The proposed alteration to the site is to excavate additional bedrock within the property to create more usable space at the grade of the existing operation. The excavation would move the bottom of the slope to the east by approximately 66' and create a steeper rock face to reduce surface erosion in accordance with the slope stability analysis (attached). The proposed top of the excavation is greater than 10' in accordance with the zoning requirements to provide a bufferyard adjacent to the undeveloped lot to the east. This proposed excavation will result in a 35' tall rock face which will be similar in appearance and of the same material as the taller rock faces to the south of the site.

## Prevalence

Rochester and the surrounding area have the benefit of being located within a region of Karst Topography. This means that we have many occurrences of shallow bedrock. This shallow bedrock is exposed naturally in some locations creating a scenic landscape and is exposed through development and quarrying which are significant industries in southeastern Minnesota. It is common to see bedrock faces as you commute on the area's highways. Many of these were excavated to support mobility and commerce around the city.

Other locations were excavated by the property owners in order to create or grow their institutions and businesses. Included in the attached slides are several examples of rock faces that we residents of Rochester get to see every day, and their creation helped form the city we know today. A few examples can be found at St. Mary's, north of 2<sup>nd</sup> St., west of Mr. Pizza South and The Crooked Pint on South Broadway, as well as north of east circle drive behind the Purple Goat, Paragon Chateau and a variety of other businesses.

## Neighborhood Information Meeting

In accordance with the UDC process, a Neighborhood Information Meeting (NIM) was hosted prior to this application. The meeting was held across the street from the site at Evangel United Methodist Church and online via Teams on 6/29/2023. Invites were distributed by Community Development to neighboring properties. There was one attendee present. This individual shared their support for the owner's ability to improve their site how they choose and further expressed support for a successful business to continue to thrive in the city. No neighbors attended in opposition to the project.

## Criteria for Approval

The following items a.-e. of section 60.500.40.N.4 are the criteria for approval of an Interim Use Permit. This particular Interim Use Permit is a requirement of the grading permit application previously submitted to Public Works. The proposed use is not based on an interim term, but rather a land disturbing activity that the City Engineer determines "may have substantial impacts on surrounding properties" from section 60.500.060.1.2.c.

Italicized items are referenced from the UDC and standard text below each item are the applicability or conformance with the criteria.

*4. Criteria for Interim Use Permit Approval The Planning Commission shall recommend approval, and the City Council shall approve the application, or approve it with conditions, if it complies [with] the following criteria:*

*a. The application complies with all applicable provisions of Chapter 7-5, Rental Unit Registration, of the Rochester Code of Ordinances and the criteria in Section 60.500.030E.3.a.3), except that the interim use of the property need not be a Permitted or Conditional Use of the property allowed in the zoning district where the property is located;*

This item does not apply. No rental units are proposed.

*b. The proposed use complies with all applicable standards for that use listed in Section 60.300.020, Use-Specific Standards, in the zoning district most similar to that in which the interim use is located, as determined by the Community Development Director;*

The proposed use complies with original criteria in the approved 2014 SDP (#R2014-050SDP) and site design standards as required by community development in accordance with the 2022 LDM under which the pending SDP is being reviewed. SDP approval is conditioned on approval of this IUP.

*c. The application does not involve or require the construction of any permanent structure with a useful economic life longer than the term of the Interim Use Permit;*

There is no term identified for interim use. Excavation activities will occur within one construction season.

*d. Pursuant to Section 60.500.030E.7 Financial Assurances, the applicant has provided financial assurance adequate if the Community Development Director determines that such assurance are necessary to ensure that the Interim Use will be terminated and any structures related to the interim use be removed (unless the City consents to the continued existence of those structures) at the end of the interim use period; and*

No financial assurances have been required by the City in relation to this project at this time. No interim structures are proposed that could require removal. The proposed excavation will occur within one construction season.

*e. If the application related to land disturbing activities that the City Engineer determines, pursuant to Section 60.500.060I.2.c, require an application for an Interim Use Permit, the applicant has given the City adequate assurances (which may include financial assurances) that the activity will not create substantial adverse impacts on surrounding properties during the Interim Use period or allow the land to be used for purposes inconsistent with the Comprehensive Plan after the Interim Use Permit period.*

No financial assurances have been required by the City in relation to this project at this time. A slope stability report has been provided to support the proposed excavation. There is no specific use or term associated with the excavation of the bedrock. Grading Permit approval is conditioned on approval of this IUP.

*f. The date or event that will terminate the use can be identified with certainty.*

The excavation activity will begin and conclude within one construction season.

Based on conformance with all criteria presented for IUP approval and documentation of a stable excavation by a licensed professional geologist, and grading plans developed by a licensed professional engineer; we are requesting approval of this IUP application on behalf of the property owner.

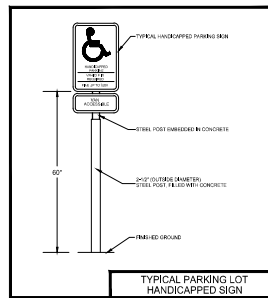
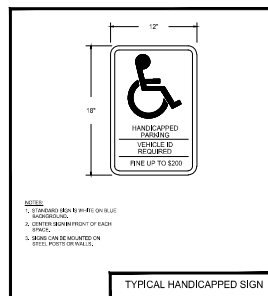
Sincerely,



Tyler Mandler, P.E.

WSE + Massey Engineering

PROPOSED OFFICE AND STORAGE BUILDING NON-PRODUCTION INDUSTRIAL USE (EXISTING NON-CONFORMING)		
PARCEL ID: 742433079151		
SITE CAPACITY CALCULATION (ZONED TOD)		
GROSS AREA = 0.63 ACRES/27,432 SF NET BUILDABLE AREA = 27,432 SF EXISTING BUILDING AREA = 0 SF PROPOSED ADDITION = 2,800 SF NET = 2,800 SF		
DESCRIPTION	PER PREVIOUS SDP APPROVAL (#R2014-050SDP)	PROVIDED
FLOOR AREA RATIO	0.50	0.08
LANDSCAPED AREA	10%	10%
BUILDING HEIGHT	60'	22'11"
MINIMUM LOT SIZE	NONE	27,432 SF
SETBACKS:		
FRONT	MIN 15'	8.0'(10' MAX PER TOD)
SIDE	MIN 5', SUM 10'	5.3', SUM 35.3'
REAR	MIN 5'	27.3'
EXTERIOR LIGHTING STANDARD	D	D
SIGN REGULATIONS	C	C
EXTERIOR STORAGE	T,A	T,A
PARKING:	1 PER 1,200 SF OR 1 PER 2 EMP.	5
BUFFERYARD INDICATOR	VIII	VIII



BUFFERYARD TYPE D  
REQUIREMENT PER 100 FT  
> 2.5 CANOPY PLANTINGS  
> 5 UNDERSTORY PLANTINGS  
> 8 SHRUBS

EXISTING TREE LINE AND  
UNDERGROWTH MEET OR EXCEED  
TREE MINIMUMS

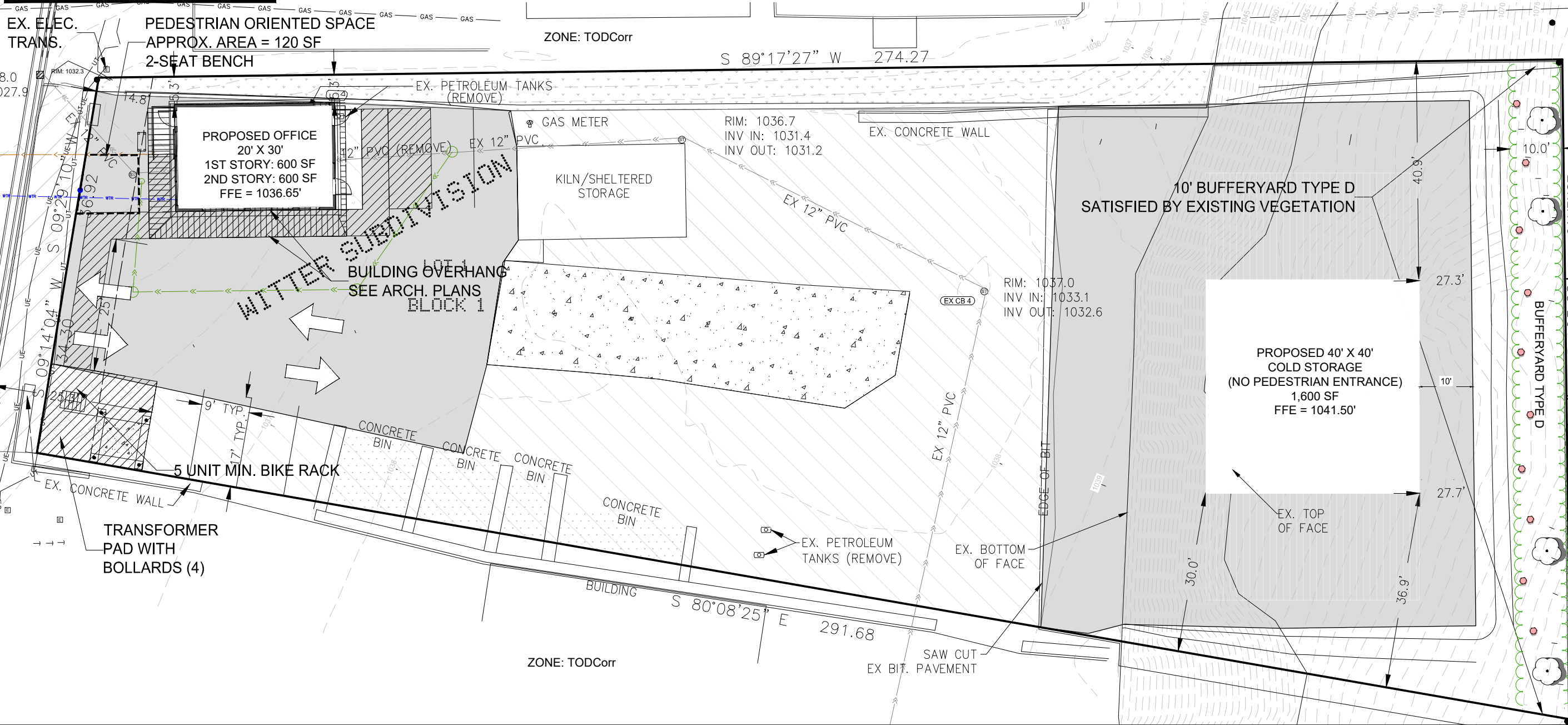
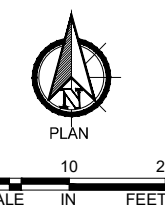
**NOTES:**

- EXISTING SECURITY GATE LOCATED AT THE MAIN ENTRANCE WILL BE EQUIPED WITH AND RFP APPROVED KNOX KEYBOX FOR EMERGENCY ACCESS OUTSIDE OF BUSINESS HOURS.

PLANTING SCHEDULE - 10' BUFFERYARD TYPE D			
BUFFERYARD TYPE	PER CODE	PROVIDED	SPECIES
TYPE D, 10'	CANOPY PLANTING 2.5/100' x 126' = 3	CANOPY PLANTING = 4	AMERICAN HORNBEAM
	UNDERSTORY PLANTING 5.0/100' x 126' = 6	UNDERSTORY PLANTING = 12	EXISTING UNDERSTORY TREES, VARIOUS
	SHRUBS = 8/100' x 126' = 10	SHRUBS = 10	GREEN MOUND JUNIPER

OWNER / DEVELOPER  
MARV SAWYER  
SAWYER CONSTRUCTION SERVICES INC  
2660 BROADWAY AVE N  
ROCHESTER, MN 55906  
PHONE: (507) 280-7780  
EMAIL: PROCUTFIREWOOD@YAHOO.COM

LEGEND	
	DENOTES EXISTING CONTOURS
	DENOTES EXISTING SANITARY PIPE
	DENOTES PROPOSED SANITARY SERVICE
	DENOTES CONCRETE PAVEMENT
	DENOTES EXISTING BITUMINOUS SURFACE
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES UNDERGROUND GAS LINE
	DENOTES UNDERGROUND ELECTRIC
	DENOTES UNDERGROUND TELEPHONE
	DENOTES EXISTING WATERMAIN PIPE
	DENOTES PROPOSED WATER SERVICE
	DENOTES EXISTING STORM SEWER PIPE
	DENOTES PROPOSED CONTOUR
	DENOTES PROPOSED SPOT ELEVATIONS
	DENOTES PROPOSED DRAINAGE DIRECTION
	DENOTES PROPOSED PVC
	DENOTES LANDSCAPE AREA, KENTUCKY BLUEGRASS TYP.
	DENOTES PROPOSED DISTURBANCE LIMIT
	DENOTES EXTERIOR STORAGE AREA
	DENOTES WALKWAY
	DENOTES BUILDING CANOPY



Engineering & Surveying

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KASSON OFFICE  
P.O. BOX 100  
33 B E VETERANS  
MEMORIAL HIGHWAY  
KASSON, MN 55944

PLAINVIEW OFFICE  
320 WEST BROADWAY  
SUITE 3  
PLAINVIEW, MN 55964

ROCHESTER OFFICE  
1712 RESTORATION  
DRIVE SW  
ROCHESTER, MN 55902

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REV: DATE: DESCRIPTION:

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**SITE AND LANDSCAPE PLAN**  
**PROCUT FIREWOOD**  
**ROCHESTER, MINNESOTA**

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SCALE: 1"=10'  
DATE: 6/14/2023  
DRAWN BY: G.D.Z., T.J.M.  
JOB NUMBER: 082.1-223886  
DWG. FILE: 082.1-223886GP02

Sheet 1 of 1

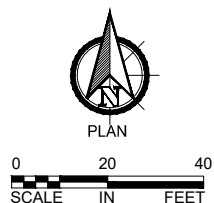
082.1-223886GP07.dwg

GRADING NOTES:

- 1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT SEDIMENT DOES NOT LEAVE THIS SITE. IT IS REQUIRED THAT THE CONTRACTOR INSTALL A STABILIZED VEHICLE EXIT TO KEEP SEDIMENT TRACKING TO A MINIMUM.
2. ALL PROPOSED ELEVATIONS ARE TOP OF PAVING OR FINISHED GRADE, UNLESS NOTED OTHERWISE. PROPOSED ELEVATIONS ARE INTENDED TO PROVIDE POSITIVE DRAINAGE TOWARDS CATCH BASINS AND/OR OUTLETS. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE THE REQUIRED ELEVATIONS, WHICH WILL PROMOTE POSITIVE DRAINAGE THROUGHOUT THE PROJECT SITE.
3. SPOT ELEVATIONS ARE FLOW LINE AND/OR FINISHED GRADES, UNLESS OTHERWISE INDICATED BY THE LOCATION OF THE SPOT. ADD 6" TO FLOW LINE ELEVATIONS TO OBTAIN THE TOP OF CURB ELEVATIONS, UNLESS NOTED OTHERWISE.
4. EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMP) SHALL BE INSTALLED BEFORE LAND DISTURBING OPERATIONS BEGIN AND SHALL REMAIN IN PLACE UNTIL FINAL STABILIZATION HAS BEEN ESTABLISHED.
5. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION.
6. THE CONTRACTOR SHALL NOTIFY ALL APPROPRIATE ENGINEERING DEPARTMENTS AND UTILITY COMPANIES 72 HOURS PRIOR TO CONSTRUCTION. ALL NECESSARY PRECAUTIONS SHALL BE TAKEN TO AVOID DAMAGE TO EXISTING UTILITIES.
7. THE SITE HAS NOT NECESSARILY BEEN DESIGNED TO BALANCE THE ON-SITE MATERIALS. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EARTHWORK QUANTITY ON THIS SITE. EXCESS MATERIAL, IF ANY SHALL BE DISPOSED OF OFF-SITE. THE CONTRACTOR SHALL IMPORT SUITABLE MATERIAL AS NEEDED.
8. CONTRACTOR SHALL VERIFY ALL EXISTING AND PROPOSED ELEVATIONS PRIOR TO START OF CONSTRUCTION. VERIFY CRITICAL ELEVATIONS TO ENSURE CONFORMANCE WITH GRADING PLAN. PARTICULARLY WITH WALK AND/OR PAVEMENTS TO REMAIN. MEET EXISTING GRADES ALONG STREETS, PROPERTY LINES AND DRIVEWAY ENTRANCES. RESTORE ALL EXISTING PAVEMENTS TO THEIR ORIGINAL, IF NOT BETTER CONDITION. NOTIFY OWNER OF ANY CONFLICTS.
9. CONTRACTOR IS RESPONSIBLE TO NOTIFY THE CITY AND THE OWNER IMMEDIATELY IF UNSUITABLE SOILS ARE ENCOUNTERED AND WORK MUST STOP.
10. ESTABLISHED SLOPES LESS THAN 4:1 ARE STABLE FROM LANDSLIDING AND SURFACE EROSION

GENERAL NOTES:

- 1. IMPAIRED WATERS WITHIN 1 AERIAL MILE OF THE SITE INCLUDES: ZUMBRO RIVER, SOUTH FORK
2. SEE ARCHITECTURAL DRAWINGS FOR STRUCTURE DATA
3. EXISTING WATER MAIN DEPTH WITHIN ROAD REQUIRES VERIFICATION
4. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF ROCHESTER STANDARD CONSTRUCTION SPECIFICATIONS AND DETAILS
5. PVC STORM DRAINS ARE NON-PERFORATED. STORM DRAINS WITHIN 10' OF A BUILDING MUST BE SCHEDULE 40 PVC AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF M.R. 4744.1107.0.
6. PROTECT SAW-CUT BITUMINOUS EDGES AND MATCH EXISTING ELEVATION WHERE INDICATED IN THE GRADING PLAN.
7. RESURFACE OR RESTORE PUBLIC ROAD OR PATH PAVEMENT AND CURBS REMOVED FOR UTILITY SERVICE INSTALLATION IN ACCORDANCE WITH CITY OF ROCHESTER SPECIFICATION C150.311.



LEGEND table with symbols and descriptions for contours, pipes, pavements, and utilities.

EARTHWORK VOLUMES (TOTAL DISTURBED AREA) table with columns for RAW CUT, RAW FILL, and NET CUT (CY).

SPOT ELEVATION LEGEND table with symbols and descriptions for existing ground, finished ground, and emergency overflow.

EROSION PREVENTION PRACTICES:

SOD/SEED MIX: MNDOT SEED MIX AND/OR SOD WITH APPROPRIATE MNDOT FERTILIZER WILL BE USED AS PERMANENT COVER FOR ALL EXPOSED GROUND AREAS PER MANUFACTURERS SPECIFICATIONS, PERMANENT COVER SHALL HAVE 4" MINIMUM TOPSOIL, SEED MIX, AND DISK ANCHOR, OR 4" MINIMUM TOPSOIL AND SOD FOR SLOPES LONGER THAN 200' OR GREATER THAN 5%.

EROSION CONTROL BLANKET: A MNDOT CLASSIFIED EROSION CONTROL BLANKET SHALL BE ADDED IN COMBINATION WITH SEED MIX/FERTILIZER TO ALL AREAS SLOPED AT 4:1 OR GREATER AND 4:1 SLOPES LONGER THAN 30', HIGH PRIORITY AREAS, AS WELL AS IN OR NEAR DITCH BOTTOMS TO ESTABLISH PERMANENT EROSION CONTROL.

TEMPORARY WINTER COVER: AREAS OF EXPOSED SOILS THAT ARE NOT COMPLETED BEFORE THE WINTER WILL BE STABILIZED WITH TYPE #3 MULCH/CERTIFIED AS WEED FREE) ADJACENT TO WETLAND OR STORMWATER PONDS. ALL OTHER DISTURBED AREAS SHALL BE STABILIZED WITH TYPE #1 MULCH. ALL EXPOSED SOILS SHALL BE STABILIZED BEFORE CONSTRUCTION IS COMPLETED FOR THE SEASON.

EROSION PREVENTION:

CONSTRUCTION OF SILT FENCE AND ALL OTHER EROSION CONTROL MEASURES SHALL BE COMPLETE BEFORE OTHER CONSTRUCTION ACTIVITY OCCURS.

USE PHASED CONSTRUCTION WHENEVER PRACTICAL AND ESTABLISH TURF AS SOON AS POSSIBLE TO MINIMIZE SEDIMENT TRANSPORT.

THE CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE ONCE EVERY SEVEN DAYS AND WITHIN 24 HOURS AFTER RAIN EVENTS FOR DAMAGE TO EROSION CONTROL DEVICES. IF DAMAGED OR INEFFECTIVE EROSION CONTROL DEVICES ARE DISCOVERED, THEY SHALL BE REPAIRED OR REPLACED. THE CONTRACTOR SHALL MAINTAIN INSPECTION RECORDS, WHICH INCLUDE DATE AND TIME OF INSPECTIONS, DATES OF RAINFALL EVENTS, RAINFALL AMOUNT, FINDINGS OF INSPECTIONS, CORRECTIVE ACTIONS TAKEN (INCLUDING DATES AND TIMES), AND DOCUMENTATION OF ANY CHANGES TO THE TEMPORARY OR PERMANENT EROSION CONTROL PLANS MADE DURING CONSTRUCTION.

TEMPORARY STOCKPILES REQUIRE ADDITIONAL SEDIMENT CONTROL AND TEMPORARY COVER AFTER 7 DAYS.

TURF ESTABLISHMENT OR TEMPORARY SEEDING OF ALL EXPOSED SOIL NOT BEING ACTIVELY WORKED SHALL BE STABILIZED WITHIN 7 DAYS.

EROSION AND SEDIMENT CONTROL MEASURES SHOWN ARE MINIMUM, AND ADDITIONAL MEASURES MUST BE INSTALLED AS NEEDED TO CONTROL EROSION AND SEDIMENT.

EFFECTIVE CONTAINMENT IS REQUIRED FOR ALL LIQUID AND SOLID WASTE GENERATED BY WASHOUT OPERATIONS (E.G., CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS) RELATED TO THE CONSTRUCTION ACTIVITY.

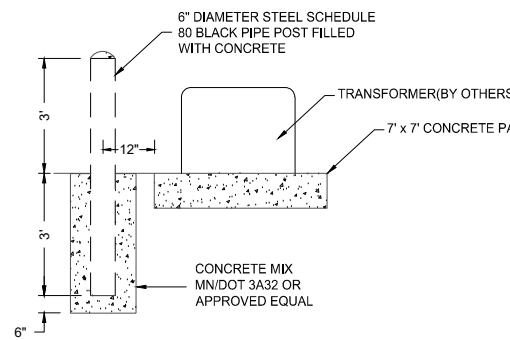
TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING OR BASIN DRAINAGE (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) MUST DISCHARGE TO A TEMPORARY OR PERMANENT SEDIMENT BASIN ON THE PROJECT SITE UNLESS INFEASIBLE. PERMITTEES MAY DEWATER TO SURFACE WATERS IF THEY VISUALLY CHECK TO ENSURE ADEQUATE TREATMENT HAS BEEN OBTAINED AND NUISANCE CONDITIONS (SEE MINN. R. 7050.0210, SUBP. 2) WILL NOT RESULT FROM THE DISCHARGE.

EXISTING UTILITY NOTES:

THE LOCATION OF UNDERGROUND AND OVERHEAD FACILITIES OR STRUCTURES AS SHOWN ON THE PLANS ARE BASED ON AVAILABLE RECORDS AT THE TIME THE PLANS WERE PREPARED AND ARE NOT GUARANTEED TO BE COMPLETE OR CORRECT. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRED RELOCATION OR REMOVAL. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REQUEST A GOPHER STATE ONE CALL PRIOR TO THE START OF ANY CONSTRUCTION TO DETERMINE THE EXACT LOCATION OF ALL FACILITIES AND TO PROVIDE ADEQUATE PROTECTION OF SAID UTILITIES DURING THE COURSE OF WORK.

UTILITY NOTES:

- 1. ALL CONSTRUCTION TO BE PER LATEST CITY OF ROCHESTER STANDARD DETAILS AND SPECIFICATIONS.
2. CONTRACTOR TO OBTAIN ALL UTILITY CONNECTION PERMITS FROM THE CITY OF ROCHESTER PUBLIC WORKS DEPARTMENT PRIOR TO CONSTRUCTION BEGINNING.
3. WATER SERVICE INSTALLATION SHALL CONFORM TO THE CURRENT VERSION OF THE MINNESOTA PLUMBING CODE CHAPTER 4715 AS ADOPTED BY THE CITY AND THE REQUIREMENTS OF RPU RULES AND REGULATIONS.
4. PVC STORM DRAINS ARE NON-PERFORATED. STORM DRAINS WITHIN 10' OF A BUILDING MUST BE SCHEDULE 40 PVC AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF M.R. 4744.1107.0.
5. PAVEMENT AND CURB WITHIN ROW THAT IS REMOVED FOR UTILITY SERVICE INSTALLATION SHALL BE SAW CUT FIRST AND DISPOSED OF OUTSIDE OF ROW. BACKFILL, BASE MATERIAL AND PAVING SHALL BE REPLACED IN-KIND TO THE ORIGINAL DEPTHS IN ACCORDANCE WITH CITY OF ROCHESTER SPECIFICATIONS. ORIGINAL PAVED SURFACE AND/OR FLOW LINE ELEVATIONS SHALL BE RESTORED.
6. SCHEDULE 40 STORM CROSSING(S) OVER WATER UTILITIES SHALL BE INSTALLED AND TESTED IN ACCORDANCE WITH MINNESOTA PLUMBING CODE.



TRANSFORMER DETAIL (NOT TO SCALE)

PROJECT LAND USE SUMMARY table with columns for Item and Area (ac).

PROPOSED LAND USE SUMMARY BLOCK 3 SITE INFORMATION table with columns for Impervious (SF), Pervious Area (SF), Total Area (SF), and Percent of Impervious (SF).

BUILDING SETBACKS: TODcorr table with columns for Front, Side, Side, and Rear setbacks in feet.

DEVELOPABLE AREA REDUCTION CALCULATIONS table showing reductions for Wetlands, Floodways, Public Stormwater Facilities, and Parkland.

CIVIL ENGINEERS / SURVEYORS

WSE MASSEY ENGINEERING & SURVEYING, LTD. P.O. BOX 100 KASSON, MN. 55944 PH. NO. 507-634-4505

OWNER / DEVELOPER

MARY SAWYER SAWYER CONSTRUCTION SERVICES INC 2650 BROADWAY AVE N ROCHESTER, MN 55906 PHONE: (507)-280-7780 EMAIL: PROCUTFIREWOOD@YAHOO.COM

WSE MASSEY Engineering & Surveying logo and contact information including phone number and website.

KASSON OFFICE P.O. BOX 100 33 B E VETERANS MEMORIAL HIGHWAY KASSON, MN 55944

PLAINVIEW OFFICE 320 WEST BROADWAY SUITE 3 PLAINVIEW, MN 55964

ROCHESTER OFFICE 1712 RESTORATION DRIVE SW ROCHESTER, MN 55902

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.

Tyler J. Mandler signature and registration information: 59714, 4/6/2023.

Revision table with columns for REV, DATE, and DESCRIPTION.

GRADING AND UTILITY PLAN PROCUT FIREWOOD ROCHESTER, MINNESOTA

SCALE: 1"=20' DATE: 5/8/2022 DRAWN BY: G.D.Z. JOB NUMBER: 082.1-223886 DWG. FILE: 082.1-223886GP01

7/7/2023 3:36:30 PM

REV.	DATE	DESCRIPTION

**GRADING/EROSION CONTROL DETAILS  
PROCVT FIREWOOD  
ROCHESTER, MINNESOTA**

NOT FOR CONSTRUCTION, THIS PLAN IS PUBLISHED FOR PERMITTING REVIEW PURPOSES ONLY.

SCALE: 1"=20'  
DATE: 5/8/2022  
DRAWN BY: G.D.Z., T.J.M.  
JOB NUMBER: 082.1-223886  
DWG. FILE: 082.1-223886GP02

QUANTITY TABULATION EROSION PREVENTION / SEDIMENT CONTROL BMPs		
ITEM	UNIT	QUANTITY
SILT FENCE	LF	60
SEEDING (SEED MIX No. 25-131)	AC	.02
INLET PROTECTION	EACH	6
EROSION CONTROL BLANKET	SY	550

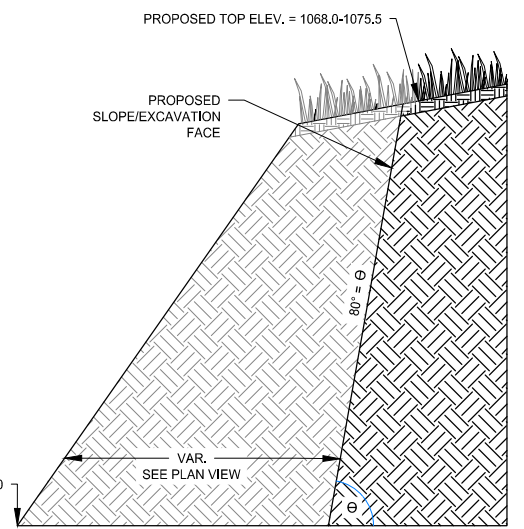
LEGEND	
	DENOTES EXISTING CONTOURS
	DENOTES EXISTING SANITARY PIPE
	DENOTES PROPOSED SANITARY SERVICE
	DENOTES CONCRETE PAVEMENT
	DENOTES EXISTING BITUMINOUS SURFACE
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES UNDERGROUND GAS LINE
	DENOTES UNDERGROUND ELECTRIC
	DENOTES UNDERGROUND TELEPHONE
	DENOTES EXISTING WATERMAIN PIPE
	DENOTES PROPOSED WATER SERVICE
	DENOTES EXISTING STORM SEWER PIPE
	DENOTES PROPOSED CONTOUR
	DENOTES PROPOSED SPOT ELEVATIONS
	DENOTES PROPOSED DRAINAGE DIRECTION
	DENOTES PROPOSED PVC
	DENOTES PROPOSED SILT FENCE PER SDP 7-01
	DENOTES PROPOSED DISTURBANCE LIMIT
	DENOTES INLET PROTECTION PER SDP 7-05

CITY OF ROCHESTER STANDARD DETAIL PLATES REFERENCE (AS PUBLISHED 5/1/2023)
SDP 1-10
SDP 1-11
SDP 1-12
SDP 2-01
SDP 4-01
SDP 6-01
SDP 6-11
SDP 7-01
SDP 7-05
SDP 7-06

MNDOT STANDARD DETAIL PLATES REFERENCE
4003B
4010H
4101D
4140D

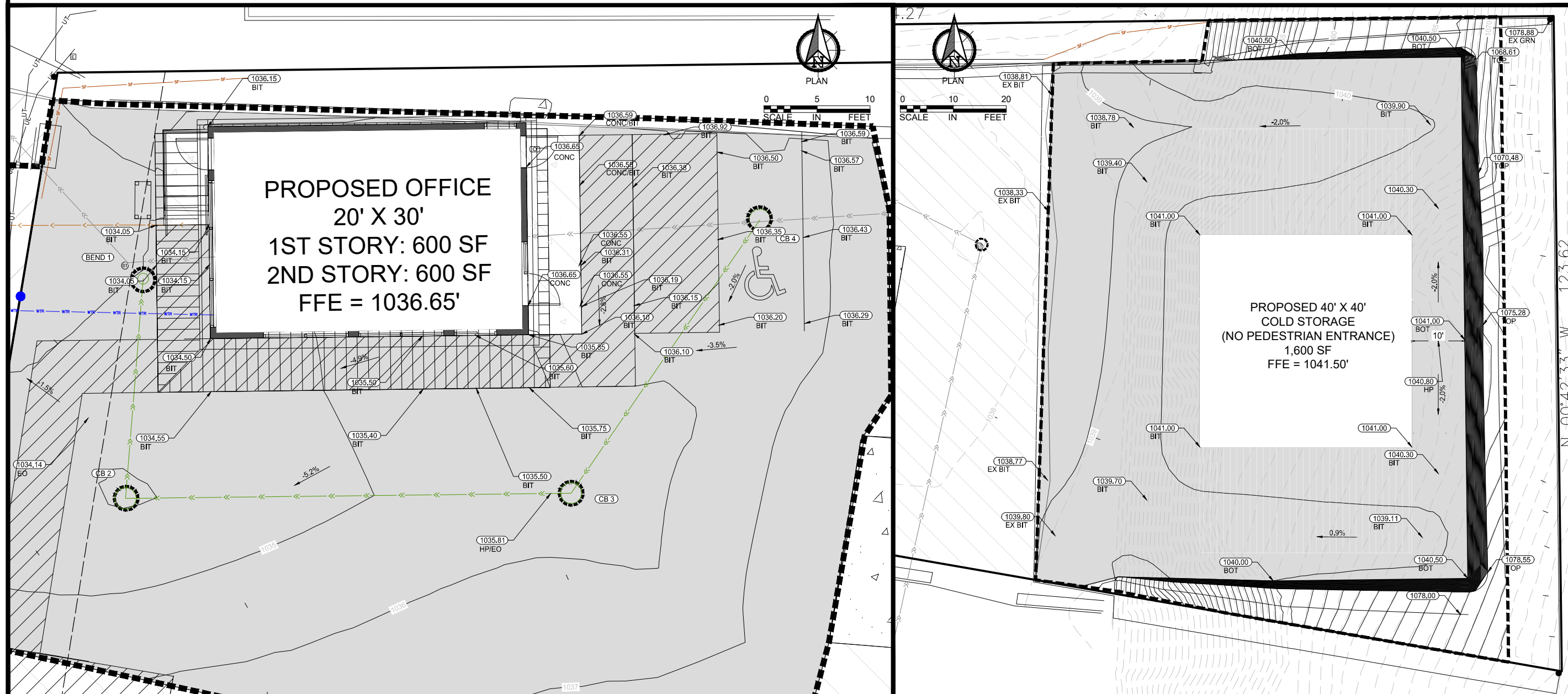
Structure Table	
Structure Name	Structure Details
BEND 1	MNDOT DESIGN N, CASTING 721 RIM = 1034.02
CB 2	MNDOT DESIGN N, CASTING 721 RIM = 1033.87 INV IN = 1029.16 INV OUT = 1029.06
CB 3	MNDOT DESIGN N, CASTING 721 RIM = 1035.72 INV IN = 1029.68 INV OUT = 1029.58
CB 4	MNDOT DESIGN N, CASTING 721 RIM = 1036.38 INV IN = 1030.18 INV OUT = 1030.08
EX CB 1	EX CB AND GRATE (PUBLIC) RIM = 1032.40 INV IN = 1028.00
EX CB 3	EX CB AND GRATE RIM = 1036.70 INV IN = 1031.40 INV OUT = 1031.20
EX CB 4	EX CB AND GRATE RIM = 1037.10 INV IN = 1033.10 INV OUT = 1032.60
EX CB 5	EX CB AND GRATE RIM = 1037.90 INV IN = 1034.10
Structure - (130)	Null Structure RIM = 1030.61 INV IN = 1029.06

- BEDROCK EXCAVATION NOTES**
- REMOVE OVERBURDEN MATERIAL, INCLUDING VEGETATION, PRIOR TO EXCAVATING UNDERLYING ROCK MATERIAL. REMOVE ROCK SLOPE MATERIAL USING EXCAVATION EQUIPMENT.
  - DO NOT BLAST BEDROCK SLOPE TO LOOSEN MATERIAL.
  - DO NOT DISTURB INPLACE VEGETATION ON TOP OF THE SLOPE UNTIL EXCAVATION OF THE UNDERLYING MATERIAL IS READY TO BEGIN. DO NOT REMOVE ANY TREES THAT ARE NOT WITHIN THE REMOVAL LIMITS.
  - IMMEDIATELY STABILIZE ANY SOIL DISTURBED ABOVE THE EXCAVATION THAT IS DISTURBED IN THE REMOVAL PROCESS USING EROSION CONTROL BLANKET.
  - DURING EXCAVATION RETAIN POSITIVE DRAINAGE AWAY FROM THE TOE OF THE SLOPE.
  - SCARIFY THE FACE OF THE FINISHED SLOPE TO REMOVE ANY REMAINING LOOSE MATERIAL AND CREATE A SMOOTH APPEARANCE.
  - CONTRACTOR SHALL TAKE APPROPRIATE MEASURES TO ENSURE THAT LOOSENED MATERIAL DOES NOT POSE A ROLLING RISK TO ADJACENT PROPERTIES OR EQUIPMENT AND STRUCTURES ON THE SITE.
  - THE CONTRACTOR WILL STOP WORK AND CONTACT THE PROJECT ENGINEER IF UNSTABLE MATERIALS, VOIDS, FISSURES, OR STRATA OF INCONSISTENT MATERIALS ARE ENCOUNTERED.
  - DO NOT REMOVE OVERBURDEN FROM BUFFERYARD BETWEEN THE TOP OF THE CUT AND THE ADJACENT PROPERTY LINES. DO NOT REMOVE EXISTING VEGETATION UNLESS UNSTABLE, DEAD OR DYING WITHOUT CONTACTING THE ENGINEER.
  - SEE SLOPE STABILITY REPORT.



**BEDROCK SLOPE EXACATION**

NOT TO SCALE





[BlueLine Environmental Advisors, PLLC](#)

Jeffrey S. Broberg, LPG, MA

11596 Persons Dr., St. Charles, MN 55972

507-273-4961 [brobergbluelineadvisors2021@gmail.com](mailto:brobergbluelineadvisors2021@gmail.com)

March 30, 2023

Tyler Mandler, P.E.

WSE Engineering & Surveying LTD

PO Box 100

Kasson, MN 55944

Re: Pro-Cut Firewood Expansion

CD2022-034SDP

Slope Stability Report

Dear Mr. Mandler:

Under the authorization of Pro-Cut Firewood and his contractor TLS Corporation/Marquee Construction, I am evaluating the slope stability of the proposed rock cut on the east end of the Pro-Cut Firewood lot at 2660 Broadway North on lot 1, Block 1 Witter Subdivision. (Figure 1)

The facility is seeking permits to expand the usable area at street level by excavating the sandstone bedrock on the east end of the lot. This report is submitted following the City of Rochester's comments on the Grading Plan from November 14, 2023.

The lot area is a 27,346 square foot lot with frontage on North Broadway and a 38-foot excavated sandstone wall that rises on the east from the lot level at 1040' to 1078' on the east property line. The expansion plan calls for excavating the sandstone slope to create an alcove by moving the toe of the slope and the top of the slope 30 feet to the east and shaping the corners to gain a flat usable area on the east end lot 1.

I have confirmed that the sand slope on the Pro-Cut lot is St. Peter Sandstone, covered by colluvium at the summit of the lot. The excavation has no Decorah Edge Features.

### **Qualifications and Scope of Services:**

I am a Minnesota Licensed Professional Geologist qualified with 32 years of experience in Slope Stability analysis in SE Minnesota.

I have conducted this slope stability analysis based on my local experience with St. Peter slope excavations. My slope stability analysis and design in SE Minnesota include the Chateau Theater slope, the 7<sup>th</sup> St Northwest slopes at Manorwoods, the Ronald McDonald slope on 2<sup>nd</sup> St SW in Rochester, and St. Peter sand mines in Olmsted, Winona, and Wabasha Counties.

This investigation included the desktop review of the rock properties and stability profiles of local excavated slopes in the St. Peter Sandstone. The slope stability assessment is based on my inspections of the site, City LiDAR (Fig 2), Topography (Fig. 3), the WSE Pro-Cut site plan (Fig 4), and WSE grading plan (Fig 5A and 5B).

Based on my review, soil borings or test pits were unnecessary

### **Background on St. Peter Sandstone Slope Stability:**

In SE Minnesota, the St. Peter Sandstone is a  $\pm$  90-foot-thick bedrock layer of fine to very-fine-grained quartz sandstone. The sand is weakly cemented and easily excavated with standard backhoes and without the need for blasting. The sand will become hard on the surface to a depth of six to twelve inches.

Beneath the hardened surface, the Sandstone is soft. Over time and exposure to the elements, the surface will become cemented and "case hardened" on the surface. This hardening occurs within a few years and allows the exposed sand to withstand exposure without mass wasting or severe erosion.

The sand is composed of very hard spherical quartz grains that can act as tiny ball bearings. These round sand grains affect slope stability making near-vertical slopes more stable than flatter slopes prone to instability and excessive erosion.

St. Peter slopes of less than 5:1 tend to allow the round sand grains to roll and can cause translational landslides or are prone to rill and gully erosion that continues to grow and expand with exposure to rain and meltwater.

The St. Peter sandstone near vertical slopes with a 70-80° pitch has proven to be the most stable excavated slope. These steep exposed slopes can be maintained with minimal maintenance without retaining walls.

### **Findings:**

The desktop analysis and field inspections in the fall of 2022 and March 2023 focused on the Sandstone slope on the east side of the lot. The excavated slope is all St. Peter Sandstone running along the back of the lots from Northern Hills Drive South to Rocky Creek Drive on the North. The sandstone wall is a steep slope rising 20 to 25 feet, with a graded slope at the top of the lot on the east property line.

The property at the top of the slope on the terrace above the Pro-Cut site was a historic limestone quarry that operated until the mid-1980s. The quarry on the crest of the ridge removed the overlying Decorah Shale, and most of the Platteville Limestone has been shaped and graded with a berm, swale, and stormwater pond on the terrace that was formerly mined. The entire slope on the Pro-Cut lot and above has been excavated and graded, removing all native soils and exposing the St Peter Sandstone slope.

The quarry was closed due to the poor aggregate quality of the rock and due to surrounding development pressures.

After the quarry operations on the hill had ceased and the sandstone wall was cut to its current position, the flat lots with buildable land along Broadway were platted as Wilmar First subdivision in 1985. The lots were re-platted as Witter Subdivision in 2009.

The 38-year-old sandstone wall was excavated and left in a stable condition. The slope above the cut was covered in colluvium formed from materials from the quarry. No Decorah Shale, Platteville, or Glenwood Shale bedrock is exposed on the Pro-Cut site, and currently, no drainage occurs on to Pro-Cut from the historic quarry.

A review of LiDAR Digital Elevation Models (Figure 2), topography (Figure 3), and soil maps show that the site is excavated, graded, and has no original soils and no concentrated drainage directed at the lot.

I relied on a stratigraphic analysis by the Minnesota Geological Survey of a nearby water well drilling record (Un no 256094) to define the top and bottom of the St.

Peter Sandstone. The stratigraphic analysis, from a well at the top of Northern Heights ridge shows that the St Peter Sandstone has a thickness of 95 feet, with the base of Sandstone at an elevation of 1019 feet and the top of the Sandstone at 1114. The Sandstone extends approximately 20 feet below the grade of the lot, and about 30 feet above the highest elevation of the Pro-Cut lot. This stratigraphic interpretation conforms with the observation that the bedrock on the Pro Cut site is all St. Peter Sandstone covered near the top with residuum, colluvium, and graded materials from the former quarry.

There is no evidence of groundwater discharge or seeps along the St Peter rock face from Northern Hills to Rocky Creek Drive.

No gullies, soft sandstone seams, seeps, springs, or wetlands are present that would create a future slope hazard.

The combined desktop and field visits find that the steep slope of the sandstone wall has been stable. However, the soils and colluvium on the shallow slope above the cut currently generate a risk of erosion or mass wasting if subjected to concentrated stormwater flow.

### **Recommendations:**

The proposal to excavate sand to safely create additional usable space by creating a flat alcove into the rock requires have stable slopes. The grading plan designed by WSE (Figures 5A and 5B) has followed my recommendations to create a safe and stable slope configuration.

The grading plan shows the preferred 70-80% slope and specifies an excavation process that exposes the rock for inspection before final excavation.

Above the excavated sand, a buffer yard on the east property line should remove all tall overstory trees by cutting them close to the ground and applying herbicides to prohibit regrowth. In this setting, overstory trees that sway in the wind are a landslide and erosion risk. The risk arises with intense summer thunderstorms when saturated ground and the force of the wind on the trees can loosen the roots or topple trees. Overstory trees generate a slope stability risk if the wind pulls up the roots.

The land disturbance in the buffer yard should be minimized. Linear cuts through the sod or root mass on the slope could remove any roots anchored into the hill and

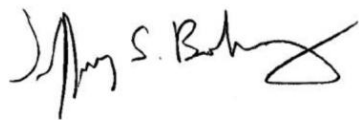
create water catchments that saturate slabs of soils that can become unstable due to the extra weight and the ball-bearing effects of the sand grains.

Buffer yard operation and maintenance may require drainage control to prevent focused flow that could erode rills or gullies into the sand face. Typically, in this setting, the sand in the hill above the wall is porous enough to allow rapid infiltration and to prevent eroding concentrated flow as it has for the last four decades. However, concentrated flow from the top must be managed if the old quarry hill is developed with impervious surfaces, including rooftops, driveways, and roads. Development of the land in the lot above would require a water diversion or drainage catchment and drain tile above the buffer yard. It is necessary to prevent any concentrated flows that could induce erosion or create a landslide hazard.

**Conclusion:**

The Pro-Cut expansion can be done by excavating steep, stable sandstone slopes with a buffer yard that excludes overstory trees and prevents concentrated stormwater flow over the newly cut slope.

Sincerely:

A handwritten signature in black ink, appearing to read "Jeffrey S. Broberg". The signature is stylized with a large, sweeping flourish at the end.

Jeffrey S. Broberg, LPG, MN (Minnesota Licensed Professional Geologist #30019)

Blueline Environmental Advisors

Attachments:

Figures 1-5B



Pro Cut



Fig 1. Location Map. Pro Cut Firewood, 2066 North Broadway, Lot 1, Block 1 Whitter Subdivision, City of Rochester, Olmsted County, MN

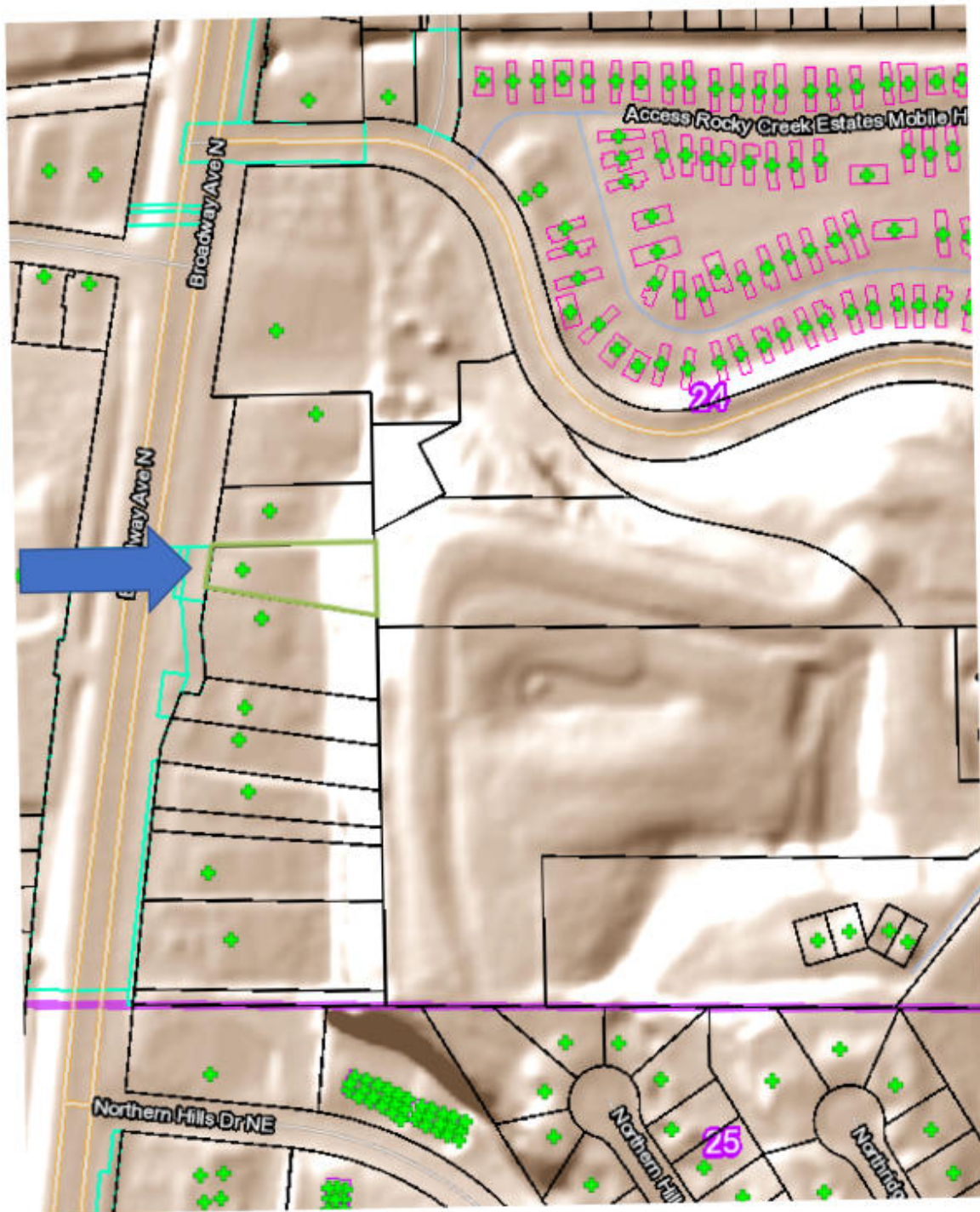


Fig 2. Pro Cut LiDAR Digital Elevation Model showing Pro Cut Lot at base of historic Rock Quarry to the east. Note constructed berm and swales, center seepage pond and excavated Platteville Limestone slopes on east and south. Decorah Shale has been removed from Pro Cut and abutting property.



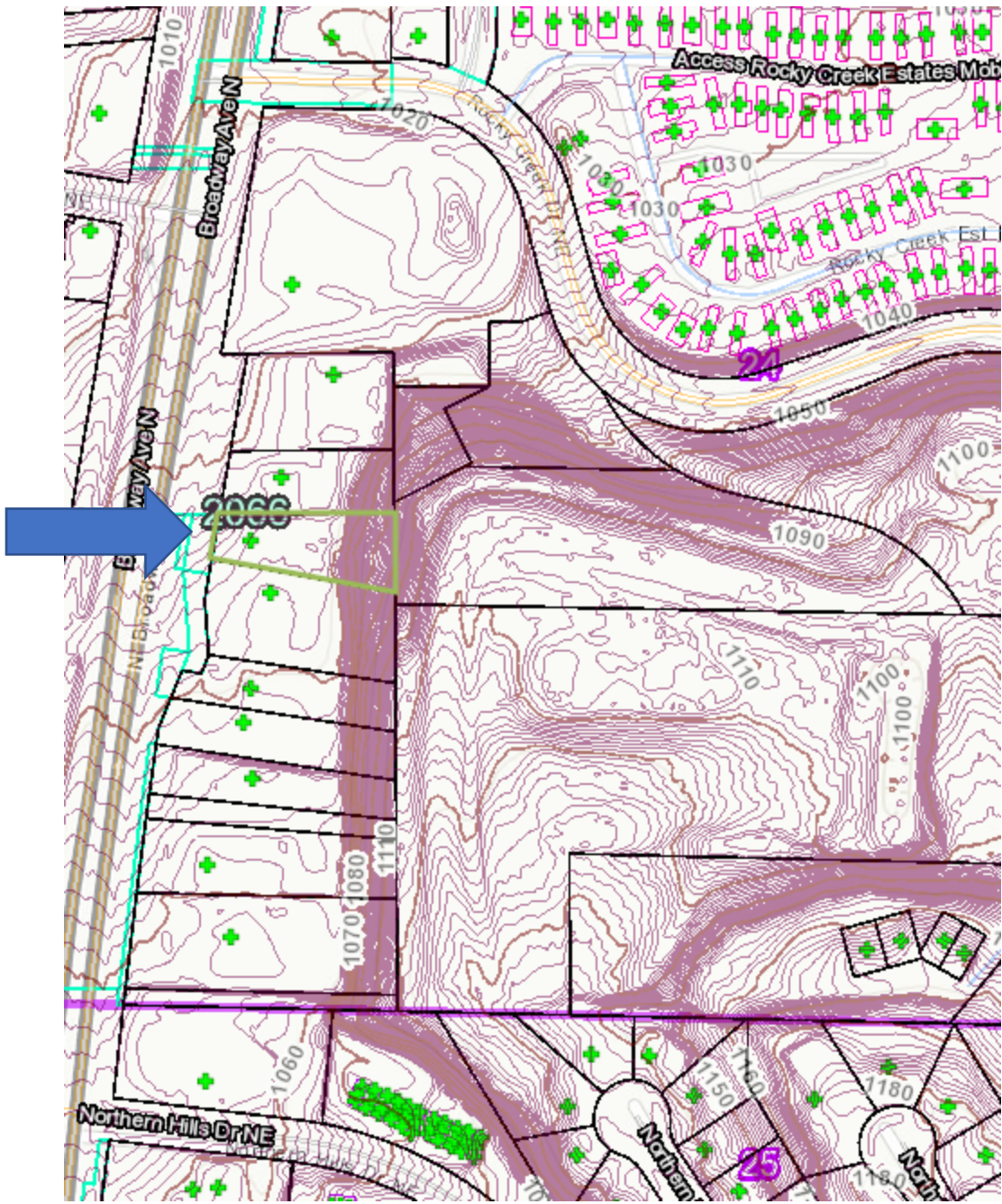


Fig 3. Pro Cut Topography, 2-foot contour interval. Displays the extent of the historic quarry that removed the Platteville Limestone and Decorah Shale. No Decorah Edge Features occur on the Pro Cut lot.

Table with 2 columns: REV, DATE, DESCRIPTION

CIVIL ENGINEERS / SURVEYORS  
WSE MASSEY ENGINEERING & SURVEYING, LTD  
P.O. BOX 100  
KASSON, MN. 55944  
PH. NO. 507-634-4505

OWNER / DEVELOPER  
MARY SAWYER  
SAWYER CONSTRUCTION SERVICES INC  
2650 BROADWAY AVE N  
ROCHESTER, MN 55906  
PHONE: (507)-280-7780  
EMAIL: PROCUTFIREWOOD@YAHOO.COM

GRADING AND UTILITY PLAN  
PROCUT FIREWOOD  
ROCHESTER, MINNESOTA

SCALE: 1"=20'  
DATE: 5/8/2022  
DRAWN BY: G.D.Z.  
JOB NUMBER: 082-1-223886  
DWG. FILE: 082-1-223886GP01

PROJECT LAND USE SUMMARY table with columns: Item, Area (ac)

PROPOSED LAND USE SUMMARY BLOCK 3 SITE INFORMATION table with columns: IMPERVIOUS (SF), PERVIOUS AREA (SF), TOTAL AREA (SF), PERCENT OF IMPERVIOUS (SF)

BUILDING SETBACKS: TODcorr table with columns: FRONT, SIDE, REAR

DEVELOPABLE AREA REDUCTION CALCULATIONS table with columns: CATEGORY, VALUE

UTILITY NOTES:

- 1. ALL CONSTRUCTION TO BE PER LATEST CITY OF ROCHESTER STANDARD DETAILS AND SPECIFICATIONS.
2. CONTRACTOR TO OBTAIN ALL UTILITY CONNECTION PERMITS FROM THE CITY OF ROCHESTER PUBLIC WORKS DEPARTMENT PRIOR TO CONSTRUCTION BEGINNING.
3. WATER SERVICE INSTALLATION SHALL CONFORM TO THE CURRENT VERSION OF THE MINNESOTA PLUMBING CODE CHAPTER 4715 AS ADOPTED BY THE CITY AND THE REQUIREMENTS OF RPU RULES AND REGULATIONS.
4. PVC STORM DRAINS ARE NON-PERFORATED. STORM DRAINS WITHIN 10' OF A BUILDING MUST BE SCHEDULE 40 PVC AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF M.R. 4744.1107.0.

EROSION PREVENTION PRACTICES:

SOD/SEED MIX: MNDOT SEED MIX AND/OR SOD WITH APPROPRIATE MNDOT FERTILIZER WILL BE USED AS PERMANENT COVER FOR ALL EXPOSED GROUND AREAS PER MANUFACTURERS SPECIFICATIONS...

EROSION CONTROL BLANKET: A MNDOT CLASSIFIED EROSION CONTROL BLANKET SHALL BE ADDED IN COMBINATION WITH SEED MIX/FERTILIZER TO ALL AREAS SLOPED AT 4:1 OR GREATER AND 4:1 SLOPES LONGER THAN 30', HIGH PRIORITY AREAS, AS WELL AS IN OR NEAR DITCH BOTTOMS TO ESTABLISH PERMANENT EROSION CONTROL.

TEMPORARY WINTER COVER: AREAS OF EXPOSED SOILS THAT ARE NOT COMPLETED BEFORE THE WINTER WILL BE STABILIZED WITH TYPE #3 MULCH/CERTIFIED AS WEED FREE) ADJACENT TO WETLAND OR STORMWATER PONDS...

EROSION PREVENTION:

CONSTRUCTION OF SILT FENCE AND ALL OTHER EROSION CONTROL MEASURES SHALL BE COMPLETE BEFORE OTHER CONSTRUCTION ACTIVITY OCCURS.

USE PHASED CONSTRUCTION WHENEVER PRACTICAL AND ESTABLISH TURF AS SOON AS POSSIBLE TO MINIMIZE SEDIMENT TRANSPORT.

THE CONTRACTOR SHALL INSPECT THE CONSTRUCTION SITE ONCE EVERY SEVEN DAYS AND WITHIN 24 HOURS AFTER RAIN EVENTS FOR DAMAGE TO EROSION CONTROL DEVICES. IF DAMAGED OR INEFFECTIVE EROSION CONTROL DEVICES ARE DISCOVERED, THEY SHALL BE REPAIRED OR REPLACED.

TEMPORARY STOCKPILES REQUIRE ADDITIONAL SEDIMENT CONTROL AND TEMPORARY COVER AFTER 7 DAYS.

TURF ESTABLISHMENT OR TEMPORARY SEEDING OF ALL EXPOSED SOIL NOT BEING ACTIVELY WORKED SHALL BE STABILIZED WITHIN 7 DAYS.

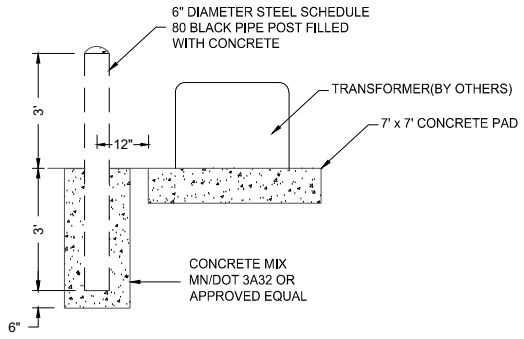
EROSION AND SEDIMENT CONTROL MEASURES SHOWN ARE MINIMUM, AND ADDITIONAL MEASURES MUST BE INSTALLED AS NEEDED TO CONTROL EROSION AND SEDIMENT.

EFFECTIVE CONTAINMENT IS REQUIRED FOR ALL LIQUID AND SOLID WASTE GENERATED BY WASHOUT OPERATIONS (E.G., CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS) RELATED TO THE CONSTRUCTION ACTIVITY.

TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING OR BASIN DRAINAGE (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) MUST DISCHARGE TO A TEMPORARY OR PERMANENT SEDIMENT BASIN ON THE PROJECT SITE UNLESS INFEASIBLE.

EXISTING UTILITY NOTES:

THE LOCATION OF UNDERGROUND AND OVERHEAD FACILITIES OR STRUCTURES AS SHOWN ON THE PLANS ARE BASED ON AVAILABLE RECORDS AT THE TIME THE PLANS WERE PREPARED AND ARE NOT GUARANTEED TO BE COMPLETE OR CORRECT. THERE MAY BE ADDITIONAL UNDERGROUND AND OVERHEAD UTILITIES NOT SHOWN ON THE PLAN THAT MAY BE REQUIRED RELOCATION OR REMOVAL.



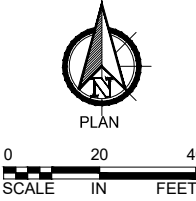
TRANSFORMER DETAIL (NOT TO SCALE)

GRADING NOTES:

- 1. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ENSURE THAT SEDIMENT DOES NOT LEAVE THIS SITE. IT IS REQUIRED THAT THE CONTRACTOR INSTALL A STABILIZED VEHICLE EXIT TO KEEP SEDIMENT TRACKING TO A MINIMUM.
2. ALL PROPOSED ELEVATIONS ARE TOP OF PAVING OR FINISHED GRADE, UNLESS NOTED OTHERWISE. PROPOSED ELEVATIONS ARE INTENDED TO PROVIDE POSITIVE DRAINAGE TOWARDS CATCH BASINS AND/OR OUTLETS. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE THE REQUIRED ELEVATIONS, WHICH WILL PROMOTE POSITIVE DRAINAGE THROUGHOUT THE PROJECT SITE.
3. SPOT ELEVATIONS ARE FLOW LINE AND/OR FINISHED GRADES, UNLESS OTHERWISE INDICATED BY THE LOCATION OF THE SPOT. ADD 6\"/>

GENERAL NOTES:

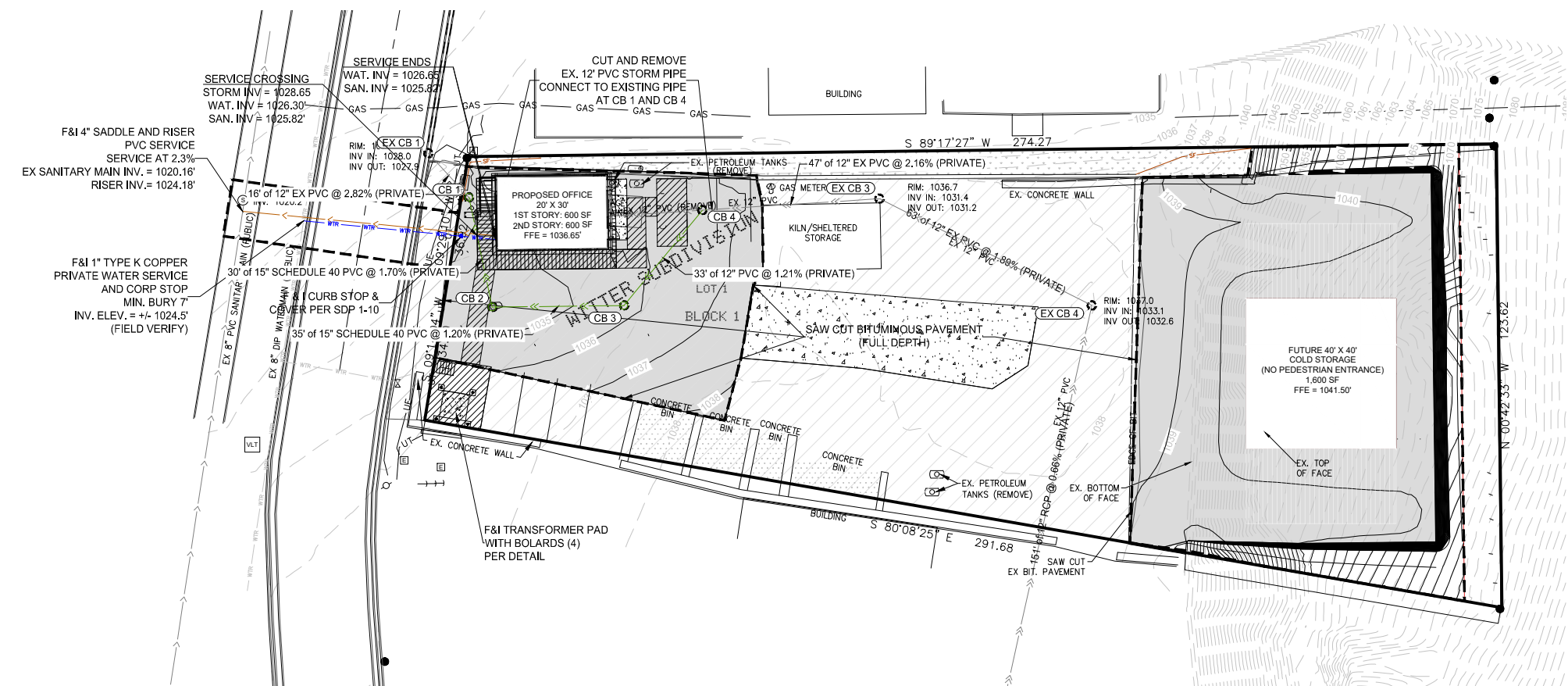
- 1. IMPAIRED WATERS WITHIN 1 AERIAL MILE OF THE SITE INCLUDES: ZUMBRO RIVER, SOUTH FORK
2. SEE ARCHITECTURAL DRAWINGS FOR STRUCTURE DATA
3. EXISTING WATER MAIN DEPTH WITHIN ROAD REQUIRES VERIFICATION
4. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH CITY OF ROCHESTER STANDARD CONSTRUCTION SPECIFICATIONS AND DETAILS
5. PVC STORM DRAINS ARE NON-PERFORATED. STORM DRAINS WITHIN 10' OF A BUILDING MUST BE SCHEDULE 40 PVC AND TESTED IN ACCORDANCE WITH THE REQUIREMENTS OF M.R. 4744.1107.0.
6. PROTECT SAW-CUT BITUMINOUS EDGES AND MATCH EXISTING ELEVATION WHERE INDICATED IN THE GRADING PLAN.
7. RESURFACE OR RESTORE PUBLIC ROAD OR PATH PAVEMENT AND CURBS REMOVED FOR UTILITY SERVICE INSTALLATION IN ACCORDANCE WITH CITY OF ROCHESTER SPECIFICATION C150.311.



LEGEND table with symbols and descriptions for contours, pipes, pavements, and utilities.

EARTHWORK VOLUMES (TOTAL DISTURBED AREA) table with columns: RAW CUT, RAW FILL, NET CUT (CY)

SPOT ELEVATION LEGEND table with columns: SYMBOL, DESCRIPTION



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4/6/2023 11:57:53 PM

REV.	DATE	DESCRIPTION

**GRADING/EROSION CONTROL DETAILS**  
**PROCUT FIREWOOD**  
**ROCHESTER, MINNESOTA**

NOT FOR CONSTRUCTION. THIS PLAN IS PUBLISHED FOR PERMITTING REVIEW PURPOSES ONLY.

SCALE: 1"=20'  
DATE: 5/8/2022  
DRAWN BY: G.D.Z., T.J.M.  
JOB NUMBER: 082.1-223886  
DWG. FILE: 082.1-223886GP02

QUANTITY TABULATION EROSION PREVENTION / SEDIMENT CONTROL BMPs		
ITEM	UNIT	QUANTITY
SILT FENCE	LF	60
SEEDING (SEED MIX No. 25-131)	AC	.02
INLET PROTECTION	EACH	6
EROSION CONTROL BLANKET	SY	550

LEGEND	
	DENOTES EXISTING CONTOURS
	DENOTES EXISTING SANITARY PIPE
	DENOTES PROPOSED SANITARY SERVICE
	DENOTES CONCRETE PAVEMENT
	DENOTES EXISTING BITUMINOUS SURFACE
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES UNDERGROUND GAS LINE
	DENOTES UNDERGROUND ELECTRIC
	DENOTES UNDERGROUND TELEPHONE
	DENOTES EXISTING WATERMAIN PIPE
	DENOTES PROPOSED WATER SERVICE
	DENOTES EXISTING STORM SEWER PIPE
	DENOTES PROPOSED CONTOUR
	DENOTES PROPOSED SPOT ELEVATIONS
	DENOTES PROPOSED DRAINAGE DIRECTION
	DENOTES PROPOSED PVC
	DENOTES PROPOSED SILT FENCE PER SDP 7-01
	DENOTES PROPOSED DISTURBANCE LIMIT
	DENOTES INLET PROTECTION PER SDP 7-05

CITY OF ROCHESTER  
STANDARD DETAIL  
PLATES REFERENCE  
(AS PUBLISHED 4/15/2021)

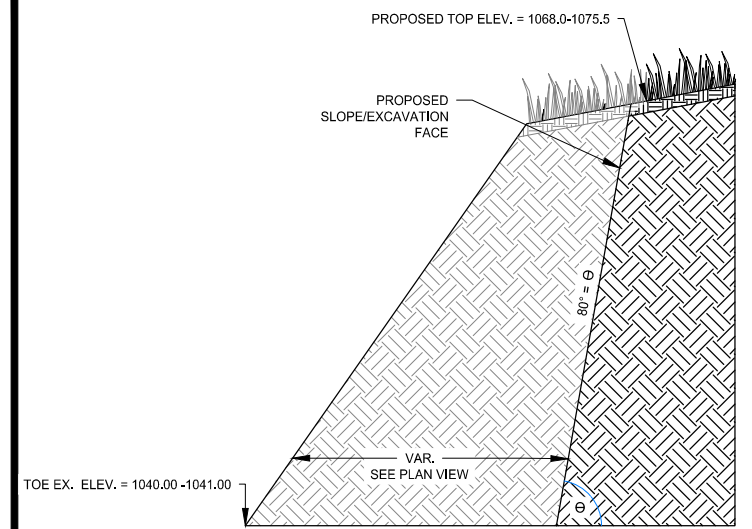
SDP 1-10
SDP 1-11
SDP 1-12
SDP 2-01
SDP 6-01
SDP 6-11
SDP 7-01
SDP 7-05
SDP 7-06

MNDOT STANDARD  
DETAIL PLATES  
REFERENCE

4003B
4010H
4101D
4140D

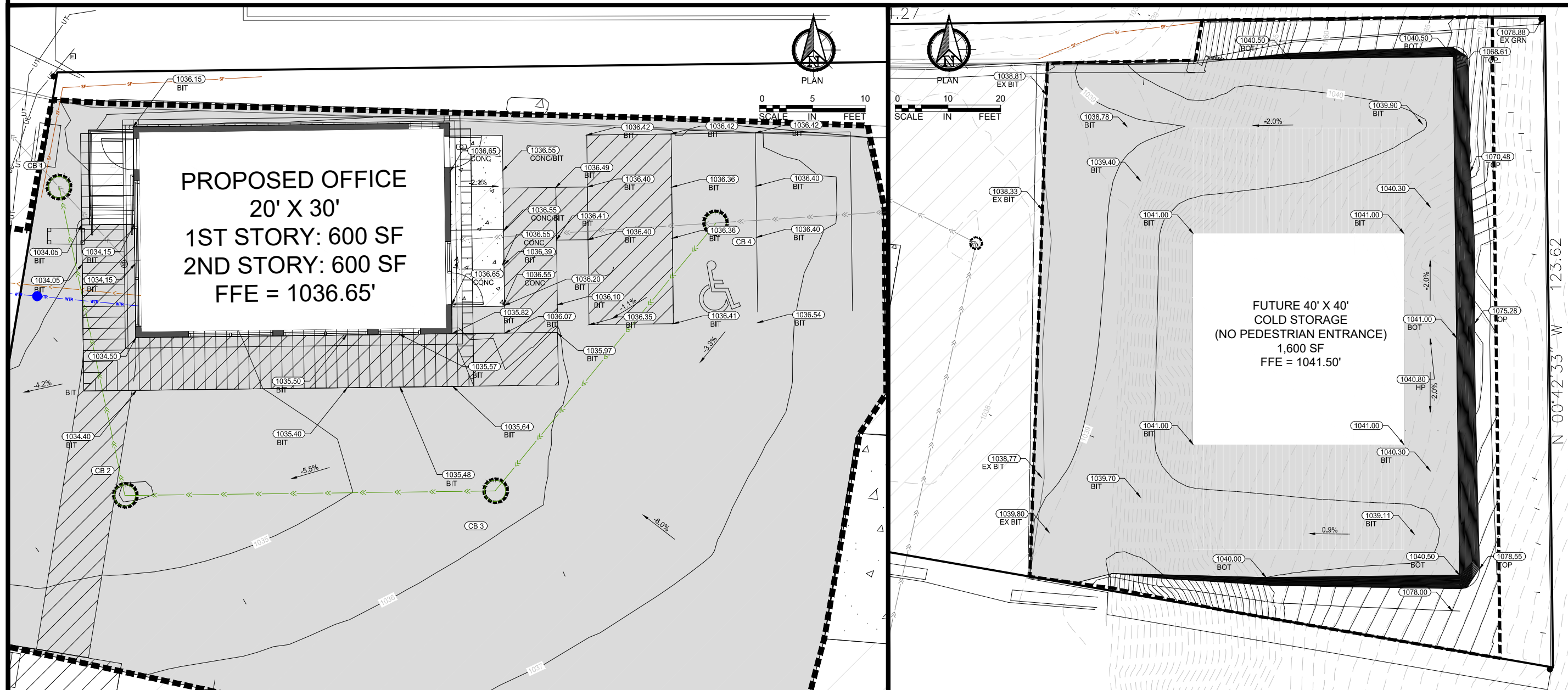
Structure Table	
Structure Name	Structure Details
CB 1	MNDOT DESIGN N, CASTING 721 RIM = 1033.58 INV IN = 1028.55 INV OUT = 1028.45
CB 2	MNDOT DESIGN N, CASTING 721 RIM = 1033.87 INV IN = 1029.16 INV OUT = 1029.06
CB 3	MNDOT DESIGN N, CASTING 721 RIM = 1035.72 INV IN = 1029.68 INV OUT = 1029.58
CB 4	MNDOT DESIGN N, CASTING 721 RIM = 1036.32 INV IN = 1030.18 INV OUT = 1030.08
EX CB 1	EX CB AND GRATE (PUBLIC) RIM = 1032.40 INV IN = 1028.00
EX CB 3	EX CB AND GRATE RIM = 1036.70 INV IN = 1031.40 INV OUT = 1031.20
EX CB 4	EX CB AND GRATE RIM = 1037.10 INV IN = 1033.10 INV OUT = 1032.60
EX CB 5	EX CB AND GRATE RIM = 1037.90 INV OUT = 1034.10

- BEDROCK EXCAVATION NOTES**
- REMOVE OVERBURDEN MATERIAL, INCLUDING VEGETATION, PRIOR TO EXCAVATING UNDERLYING ROCK MATERIAL. REMOVE ROCK SLOPE MATERIAL USING EXCAVATION EQUIPMENT.
  - DO NOT BLAST BEDROCK SLOPE TO LOOSEN MATERIAL.
  - DO NOT DISTURB INPLACE VEGETATION ON TOP OF THE SLOPE UNTIL EXCAVATION OF THE UNDERLYING MATERIAL IS READY TO BEGIN. DO NOT REMOVE ANY TREES THAT ARE NOT WITHIN THE REMOVAL LIMITS.
  - IMMEDIATELY STABILIZE ANY SOIL DISTURBED ABOVE THE EXCAVATION THAT IS DISTURBED IN THE REMOVAL PROCESS USING EROSION CONTROL BLANKET.
  - DURING EXCAVATION RETAIN POSITIVE DRAINAGE AWAY FROM THE TOE OF THE SLOPE.
  - SCARIFY THE FACE OF THE FINISHED SLOPE TO REMOVE ANY REMAINING LOOSE MATERIAL AND CREATE A SMOOTH APPEARANCE.
  - CONTRACTOR SHALL TAKE APPROPRIATE MEASURES TO ENSURE THAT LOOSENED MATERIAL DOES NOT POSE A ROLLING RISK TO ADJACENT PROPERTIES OR EQUIPMENT AND STRUCTURES ON THE SITE.
  - THE CONTRACTOR WILL STOP WORK AND CONTACT THE PROJECT ENGINEER IF UNSTABLE MATERIALS, VOIDS, FISSURES, OR STRATA OF INCONSISTENT MATERIALS ARE ENCOUNTERED.
  - DO NOT REMOVE OVERBURDEN FROM BUFFERYARD BETWEEN THE TOP OF THE CUT AND THE ADJACENT PROPERTY LINES. DO NOT REMOVE EXISTING VEGETATION UNLESS UNSTABLE, DEAD OR DYING WITHOUT CONTACTING THE ENGINEER.
  - SEE SLOPE STABILITY REPORT.



**BEDROCK SLOPE EXACATION**

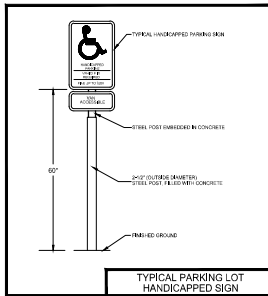
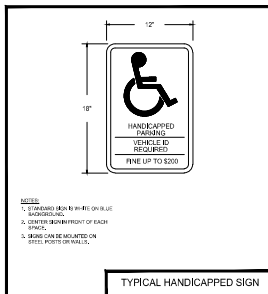
NOT TO SCALE



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4/7/2023 12:34:45 AM

PROPOSED OFFICE AND STORAGE BUILDING NON-PRODUCTION INDUSTRIAL USE (EXISTING NON-CONFORMING)		
PARCEL ID: 742433079151		
SITE CAPACITY CALCULATION (ZONED TOD)		
GROSS AREA = 0.63 ACRES/27,432 SF NET BUILDABLE AREA = 27,432 SF EXISTING BUILDING AREA = 0 SF PROPOSED ADDITION = 2,800 SF NET = 2,800 SF		
DESCRIPTION	PER PREVIOUS SDP APPROVAL (#R2014-050SDP)	PROVIDED
FLOOR AREA RATIO	0.50	0.08
LANDSCAPED AREA	10%	10%
BUILDING HEIGHT	60'	22'11"
MINIMUM LOT SIZE	NONE	27,432 SF
SETBACKS:		
FRONT	MIN 15'	8.0'(10' MAX PER TOD)
SIDE	MIN 5', SUM 10'	5.3', SUM 35.3'
REAR	MIN 5'	27.3'
EXTERIOR LIGHTING STANDARD	D	D
SIGN REGULATIONS	C	C
EXTERIOR STORAGE	T,A	T,A
PARKING:	1 PER 1,200 SF OR 1 PER 2 EMP.	5
BUFFERYARD INDICATOR	VIII	VIII



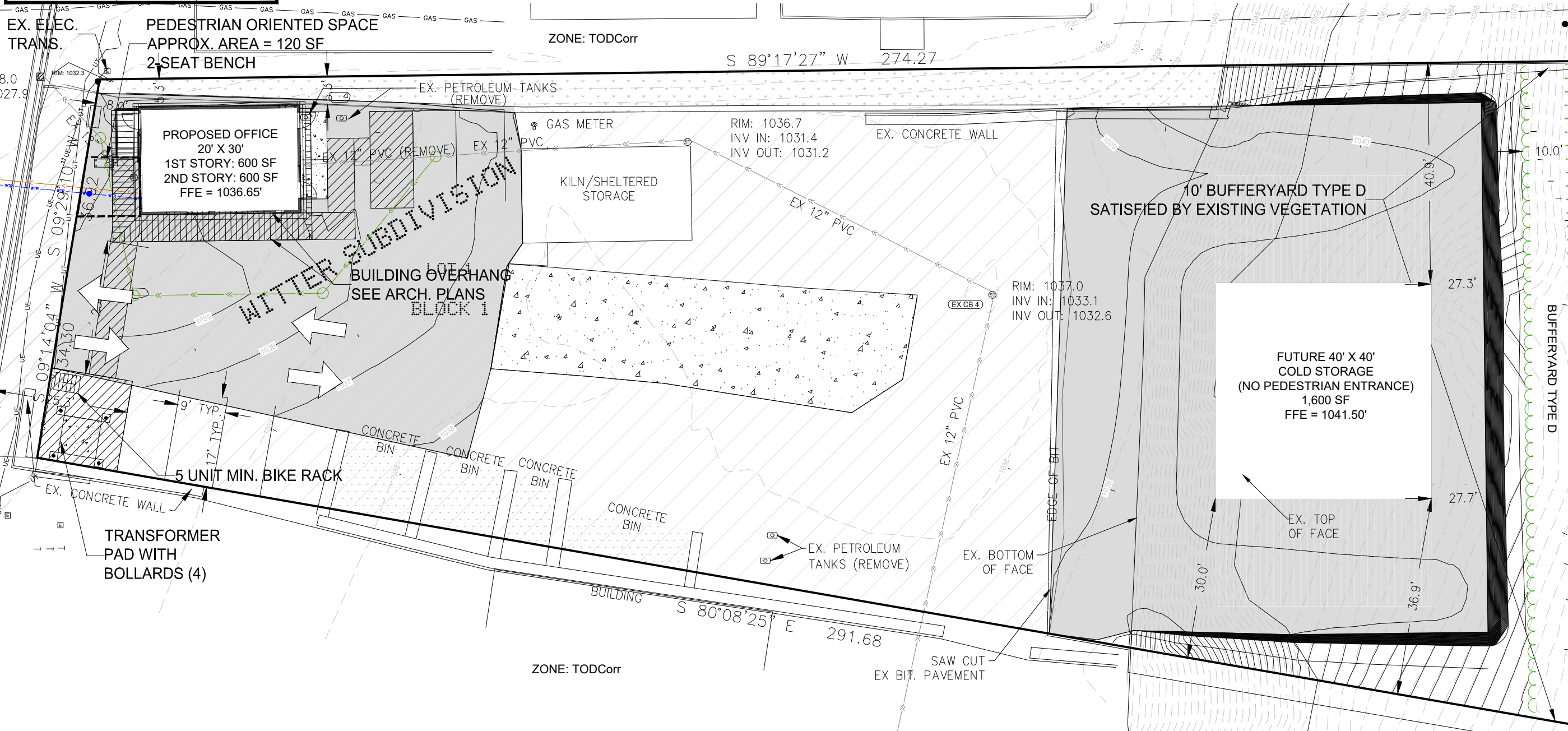
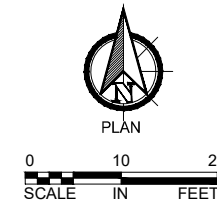
BUFFERYARD TYPE D  
REQUIREMENT PER 100 FT  
> 2.5 CANOPY PLANTINGS  
> 5 UNDERSTORY PLANTINGS  
> 8 SHRUBS  
\*EXISTING TREE LINE AND  
UNDERGROWTH MEET OR EXCEED  
THESE MINIMUMS

**NOTES:**

- EXISTING SECURITY GATE LOCATED AT THE MAIN ENTRANCE WILL BE EQUIPPED WITH AND RFP APPROVED KNOX KEYBOX FOR EMERGENCY ACCESS OUTSIDE OF BUSINESS HOURS.

OWNER / DEVELOPER  
MARY SAWYER  
SAWYER CONSTRUCTION SERVICES INC  
2660 BROADWAY AVE N  
ROCHESTER, MN 55906  
PHONE: (507)280-7780  
EMAIL: PROCUTFIREWOOD@YAHOO.COM

LEGEND	
	DENOTES EXISTING CONTOURS
	DENOTES EXISTING SANITARY PIPE
	DENOTES PROPOSED SANITARY SERVICE
	DENOTES CONCRETE PAVEMENT
	DENOTES EXISTING BITUMINOUS SURFACE
	DENOTES PROPOSED BITUMINOUS SURFACE
	DENOTES UNDERGROUND GAS LINE
	DENOTES UNDERGROUND ELECTRIC
	DENOTES UNDERGROUND TELEPHONE
	DENOTES EXISTING WATERMAIN PIPE
	DENOTES PROPOSED WATER SERVICE
	DENOTES EXISTING STORM SEWER PIPE
	DENOTES PROPOSED CONTOUR
	DENOTES PROPOSED SPOT ELEVATIONS
	DENOTES PROPOSED DRAINAGE DIRECTION
	DENOTES PROPOSED PVC
	DENOTES LANDSCAPE AREA, KENTUCKY BLUEGRASS TYP.
	DENOTES PROPOSED DISTURBANCE LIMIT
	DENOTES EXTERIOR STORAGE AREA
	DENOTES WALKWAY



REV: DATE: DESCRIPTION:

REV:	DATE:	DESCRIPTION:

**SITE AND LANDSCAPE PLAN  
PROCUT FIREWOOD  
ROCHESTER, MINNESOTA**

SCALE: 1"=10'  
DATE: 9/29/2022  
DRAWN BY: G.D.Z.  
JOB NUMBER: 082.1-223886  
DWG. FILE: 082.1-223886GP02

MEMO

Blueline Environmental Advisors PLLC

Jeff Broberg, [bluelineenvironmentaladvisors21@gmail.com](mailto:bluelineenvironmentaladvisors21@gmail.com) 507-273-4961

June 13, 2021

From: Jeffrey S. Broberg, LPG, MA

To: Tyler Mandler and City of Rochester

Re: Clarified definitions and conclusions for Pro-Cut slope stability

In my March 30, 2023 Slope Stability Report for the Pro-Cut slope excavation I concluded:

***Conclusion:***

*The Pro-Cut expansion can be done by excavating steep, stable sandstone slopes with a buffer yard that excludes overstory trees and prevents concentrated stormwater flow over the newly cut slope.*

After reviewing the comments from City Development and Public Works officials it occurred to me that my recommendations included the term “overstory trees”, a term that is not used in the Land Development Manual (LDM) and that I did not clearly define. The LDM uses the term “canopy trees” and relies on a common definition meaning trees that create a dome of vegetation creating shade for the undergrowth. Unfortunately, my use of the term “overstory trees” created confusion and deserves clarification.

My unstated definition of “overstory trees” was meant to mean trees that are taller than the average tree canopy where the crown of the overstory trees are subjected to the forces of the wind and are more prone to be uprooted, especially when the ground is saturated. When considering slope stability factors these overstory trees, embedded in a colony of “canopy trees” can create an avoidable risk of uprooting from wind that can progress to creating focused erosion, debris flows and landslides.

My recommendation is focused on reducing the risk from the three trees that are much taller than the canopy. Removal of the smaller trees creates a smooth canopy with no individual trees catching the force of the wind. The removal of the taller trees within the canopy will reduce the risk of trees being uprooted from the wind and will reduce debris flow and landslide hazards.

I have discussed these definitions and risk reduction strategies with Tyler Mandler of WSE. He is revising his tree removal and replacement plan to maintain a safe population of canopy trees.

# Agency Review Comments

Application No: CD2023-001IUP

---

7/13/2023 **Building Plan Review**

Minimum setback of building foundation to the toe of the ascending slope is 15 feet.

7/27/2023 **County Environmental Resources**

7/11/2023 **County GIS/E911**

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

7/14/2023 **County Public Works**

7/17/2023 **Fire Review**

7/28/2023 **Public Works Review**

See attached comment in Accela software.

7/17/2023 **RPU Electric Review**

Items to be addressed prior to application approval:

-

Additional Comments: CD2022-034SDP has not been approved by RPU electric at this time. Transformer location and 10' utility easement need to be worked out. There are not RPU electric comments for CD2023-001IUP excavation.

-

7/12/2023 **RPU Water Review**

There are no comments from this agency at this time.

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

FROM: Mark E. Baker

RE: ProCut Firewood Interim Use Permit  
(Lot 1, Block 1, Witter Subdivision)

DATE: 7/28/23

Rochester Public Works has reviewed the application for Interim Use Permit CD2023-001IUP by ProCut Firewood. The following are Public Works' comments for this application:

This Interim Use Permit application is associated with application CD2022-034SDP which if approved, would allow the property to be developed with a commercial building. A Slope Stability Report (SSR) was prepared by a licensed professional and submitted as part of the CD2023-001IUP application. The conclusion of the SSR was that the excavation could be done safely if measures were taken to remove all overstory trees from the buffer yard at the top of slope toward the east property line to minimize the risk of trees toppling over in storms and potentially causing landslides, and if measures were taken to minimize concentrated storm water flows over the sand face. It is the City Engineer's position that the proposed grading activity and mitigation actions creates substantial adverse impacts, which doesn't meet the requirement for IUP approval outlined in the Unified Development Code Section 60.500.040.N.4.e. The substantial adverse impact is based on the following:

1. All existing tall over-story trees located along the east property line above the proposed excavation must be removed.
2. Grading activity above the proposed excavation to the east property line may create unstable conditions for the soils that lie on top of the hill which can prompt sloughing.
3. Approximately 0.3 acres of offsite drainage is currently routed over the proposed excavation area. No provisions have been provided to accommodate this water within the site to prevent deterioration of the exposed rock face.
4. This proposed final grading is not consistent with neighboring parcels. The proposed plan maximizes the developable acreage within the parcel by excavating the hillside to the east and up to each adjacent property boundary to the maximum extent possible. The proposed excavation creates near vertical rock faces that would expose all three adjacent properties to a risk of failure. Deterioration of the rock face will occur over time and possibly onto adjacent properties given the lack of a buffer.

Sent to Planning Department via Accela only.



---

**From:** Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>  
**Sent:** Monday, July 17, 2023 1:37 PM  
**To:** Community Development Department  
**Cc:** Schnell, Tracy (DOT); Wayne, Kurt (He/Him/His) (DOT)  
**Subject:** Development Application CD2023-001IUP

[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: CD2023-001IUP
- Description: Interim Use Permit #CD2023-001IUP, by ProCuts LLC, to allow for the excavation of exposed bedrock at 2660 Broadway Ave N.

Thanks,

**Tracy Schnell**  
Senior Planner | District 6

**Minnesota Department of Transportation**  
2900 48<sup>th</sup> Street NW  
Rochester, MN 55901  
**C: 507-259-3852**  
[mndot.gov/](http://mndot.gov/)

