



**Planning & Zoning Commission Agenda
Rochester Boards & Commissions - Planning & Zoning Commission
August 23, 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: 421 762 05#
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 August 9, 2023](#)

Accepting the minutes and video of the August 9, 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. CD2023-009PLAT by Pine South West, to be known as Ponderosa Pine](#)

Recommending Council approve Major Land Subdivision No. CD2023-009PLAT by Pine South West LLC, to be known as Ponderosa Pine, for the re-subdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision.

5.B. [Major Land Subdivision No. CD2023-011PLAT by Hawk Ridge Development LLC, to be known as Hawk Ridge South](#)

Recommending Council approve Major Land Subdivision No. CD2023-011PLAT by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and one outlot.

6. Public Hearings

6.A. Zoning Map Amendment No. CD2023-007ZC by Farmland LLC (Mercy Hill)

Forwarding a recommendation to Council approving Zoning Map Amendment No. CD2023-007ZC, by Farmland LLC, to change the zoning district designation of 12.17 acres from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot).

7. Other Business

A. Public Works Presentation

B. City Council Recap

8. Adjournment



REQUEST FOR ACTION

Minutes of August 9, 2023

MEETING DATE:

August 23, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Consent Agenda

PRESENTER:

Chair

Action Requested:

Accepting the minutes and video of the August 9, 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 - August 9, 2023](#)



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

- 1) [Open Public Comment Period - none](#)
- 2) [Call to Order/Roll Call](#)

Attendee Name	Status
Margaret R Brimijoin	Present
Ruchi Gupta	Present
Randy R Schubring	Present
Alissa T Moe	Present
Aaron D Eberhart	Present
Joanne Crawford	Present
Jonathon P Krull	Present
Robert A Cline	Absent
Jeremy C Andrist	Absent

3) [Order of Agenda](#)

Motion to approve the Order of Agenda

MOVER: Ruchi Gupta
SECONDER: Jonathon P Krull
AYES: None
RESULT: **APPROVED [UNANIMOUS]**

4) [Consent Agenda](#)

4.A) Minutes of July 26, 2023

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

[Cover Page](#) 

[Minutes - July 26, 2023](#) 

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

MOVER: Jonathon P Krull
SECONDER: Margaret R Brimijoin
AYES: None
RESULT: **APPROVED [UNANIMOUS]**

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.

Official Act: 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.

[Cover Page](#) 

[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](#) 

[Applicant Response - CD2023-001IUP](#) 

[CD Response Memo - CD2023-001IUP](#) 

Allison Sosa reported there is a revision in the staff report as the criteria used were from the updated Unified Development Code (UDC); however, this application was submitted before the update, so the criteria were revised to the language in the approved January 2023 UDC.

Desmond McGeough presented the staff report.

Jeff Broberg, Blueline Environmental Advisors, Tyler Mandler, WSE Massey Engineering & Surveying, Ltd, and Bill Tointon, WSE Massey Engineering & Surveying, Ltd, representing the Applicant spoke on the item.

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

Motion to forward a recommendation of Denial to the City Council on Interim Use Permit No.CD2023-001, based on the findings provided in the Staff

Report.

MOVER: Joanne Crawford
SECONDER: Ruchi Gupta
AYES: None
RESULT: **APPROVED [UNANIMOUS]**

6) ***Public Hearings - none***

7) ***Other Business***

Desmond McGeough gave a recap of the August 7, 2023, City Council meeting.

8) ***Adjournment***

Motion to Adjourn

MOVER: Alissa T Moe
SECONDER: Jonathon P Krull
AYES: None
RESULT: **APPROVED [UNANIMOUS]**



REQUEST FOR ACTION

Major Land Subdivision No. CD2023-009PLAT by Pine South West, to be known as Ponderosa Pine

MEETING DATE:

August 23, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Reports and Recommendations

PRESENTER:

Elliot Mohler

Action Requested:

Recommending Council approve Major Land Subdivision No. CD2023-009PLAT by Pine South West LLC, to be known as Ponderosa Pine, for the re-subdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision.

Report Narrative:

The applicant is proposing a Major Land Subdivision that will re-subdivide 6.79 acres into 22 lots for residential development. The site is located southeast of Ponderosa PI SW and west of US Hwy 52. The 6.79-acre site is currently part of the Pine Ridge Heights subdivision. The roadway for this development is proposed to be public and connect Ponderosa PI SW to 14th Ave SW. The site was annexed into the City of Rochester in 2000 and subsequently platted in 2007 (R2007-004PLAT).

The Development Review Team is recommending approval of the Major Land Subdivision application with the following conditions of approval:

1. Prior to acceptance of a Final Plat Application, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
2. Prior to acceptance of a Final Plat Application, Final Plat GIS Impact and E911 Addressing fees must be collected.
3. Prior to recording of a Final Plat, Parkland Dedication fees must be collected.
4. Prior to acceptance of a Final Plat Application, the Final Plat should show lots 2 and 3 Block 2 having at least 60 ft of frontage and a 10 ft public utility easement shown along all public/private rights-of-way.
5. Prior to or concurrent with acceptance of a Final Plat Application, an Easement Vacation Application and a Right-of-Way Vacation Application must be submitted to vacate the existing 20-foot wide drainage and utility easement located on the site and to realign the existing roadway.

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 Improve Community Connectivity.

Prior Legislative Actions & Community Engagement:

September 15, 2014: Council Meeting - Pine Ridge Heights Subdivision Approved

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:

Elliot Mohler

Attachments:

[Community Development Memo - CD2023-009PLAT Ponderosa Pine](#)

[Notification Map - CD2023-009PLAT Ponderosa Pine](#)

[Site Location Map - CD2023-009PLAT Ponderosa Pine](#)

[Major Land Subdivision Exhibit - CD2023-009PLAT Ponderosa Pine](#)

[Applicant Narrative - CD2023-009PLAT Ponderosa Pine](#)

[Referral Comments - CD2023-009PLAT Ponderosa Pine](#)

[MLS Criteria - CD2023-009PLAT Ponderosa Pine](#)

Rochester Planning and Zoning Commission

August 23, 2023

Prepared By: Rochester Community Development Department

Request: Major Land Subdivision #CD2023-009PLAT by Pine South West LLC, to be known as Ponderosa Pine, for the re-subdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision.

Location: The site is located southeast of Ponderosa PI SW and west of US Highway 52.

Applicant: Pine South West LLC

Consultant: WSE Massey Engineering

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. 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, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
2. Prior to acceptance of a Final Plat Application, Final Plat GIS Impact and E911 Addressing fees must be collected.
3. Prior to recording of the Final Plat, Parkland Dedication fees must be collected.
4. Prior to acceptance of a Final Plat Application, the Final Plat should show lots 2 and 3 Block 2 having at least 60 ft of frontage and a 10 ft public utility easement shown along all public/private rights-of-way.
5. Prior to or concurrent with acceptance of a Final Plat Application, an Easement Vacation application and a Right-of-Way Vacation application must be submitted

to vacate the existing 20' wide drainage and utility easement located on the site and to realign the existing roadway.

PROJECT SUMMARY

The applicant is proposing a Major Land Subdivision that will re-subdivide 6.79 acres into 22 lots for residential development. The 6.79 acres is currently part of the Pine Ridge Heights subdivision. The roadway for this development is proposed to be public and connect Ponderosa PI SW to 14th Ave SW. This roadway was originally approved in the Pine Ridge Heights subdivision but was never built.

The site was annexed into the City of Rochester in 2000 and subsequently platted in 2007 (R2007-004PLAT). This original plat consisted of 36 residential lots and one outlot. The original plat was part of the larger Pine Ridge Estates GDP. This replat adds seven (7) new lots. The Plat exhibit shows two entrances/exits from the subdivision. 14th Ave SW will continue through the subdivision and intersect with Ponderosa PI SW. A short cul-de-sac is also proposed to serve six of the seven new lots.

The roadways servicing the surrounding neighborhood are low speed, low volume, residential streets. This area is currently platted for 15 residential lots. The proposed replat would add seven more residential lots. Rochester Public Works has determined that the addition of seven residential lots does not meet the threshold to create any kind of traffic operational issues per the ITE Trip Generation Manual – which identifies that this will add 7 trips every 9 minutes during peak traffic hours.

Rochester Public Utilities has made the developer aware that the surrounding area and the newly proposed lots have low water pressure, but still meets standards. The existing low water pressure in the area is due to high elevation. The water pressure is created by the difference in elevation between the water tower and the point of service. The additional homes proposed in the Ponderosa Pines subdivision will not negatively impact the water pressure of existing homes in the area as there is plenty of capacity in the system.

CD2023-009PLAT – ZONING SUMMARY TABLE

Land Use/ Zoning	The underlying Land Use designation for this area is Low-Density Residential, which is compatible with proposed Major Land Subdivision. This site is zoned R-1 (Mixed Single Family) and the proposal is consistent with the R-1 development standards.
Streets and Access	The site will be served by two primary accesses via a through road connecting Ponderosa PI SW and 14 th Ave SW. There is a proposed cul-de-sac serving the seven new residential lots. Pedestrian facilities will be required alongside the construction of the proposed roadway.
Grading & Stormwater Management	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.
Wetlands/Decorah Edge/Floodplain	Steep slopes exist on the northern side of the site and will need to be addressed through the civil grading and stormwater management plan process prior to final plat approval.
Public Facilities	Presently, public facilities exist to service the site. A Development Agreement for Owner's execution to memorialize terms and obligations specific to development of this site may be required. These roadways are low speed, low volume, residential streets. The area was previously platted for 15 residential lots. The proposed replat would add seven additional lots. Public Works has determined that the additional residential lots will not create traffic operational issues in the neighborhood.
Utilities	The existing low water pressure in the area is due to high elevation. The water pressure is created by the difference in elevation between the water tower and the point of service. The greater the difference, the greater the pressure. The additional homes proposed in the Ponderosa Pines subdivision will not negatively impact the water pressure of existing homes in the area as there is plenty of capacity in the system.
Parkland Dedication	The new plat is creating seven additional lots from the original 15 for a total of 22 lots. As the lots will be served by the existing Pine Ridge Park just to the north and west, Rochester Parks and Recreation has made the determination that parkland dedication should be met via cash in lieu.
Spillover Parking:	This development requires 2 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 Community Development 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) **except for** the following criteria which have been addressed through conditions 4 and 5:

- 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.

Lots 2 and 3 of Block 2 are less than the required minimum lot width of 60 feet for full frontage lots. Lot 2 is shown as 59.31 feet in width and Lot 3 is shown as 57.33 feet in width. Lot configuration will need to change to ensure that all full frontage lots meet the minimum width set by the UDC for the R-1 district prior to acceptance of the Final Plat application.

- m) Rights-of-way and easement of adequate size and dimension are provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.

An existing 20-foot-wide utility easement from the previous Pine Ridge Heights plat is shown on the proposed Ponderosa Pines plat. This utility easement will need to be vacated prior to the acceptance of the Final Plat application.

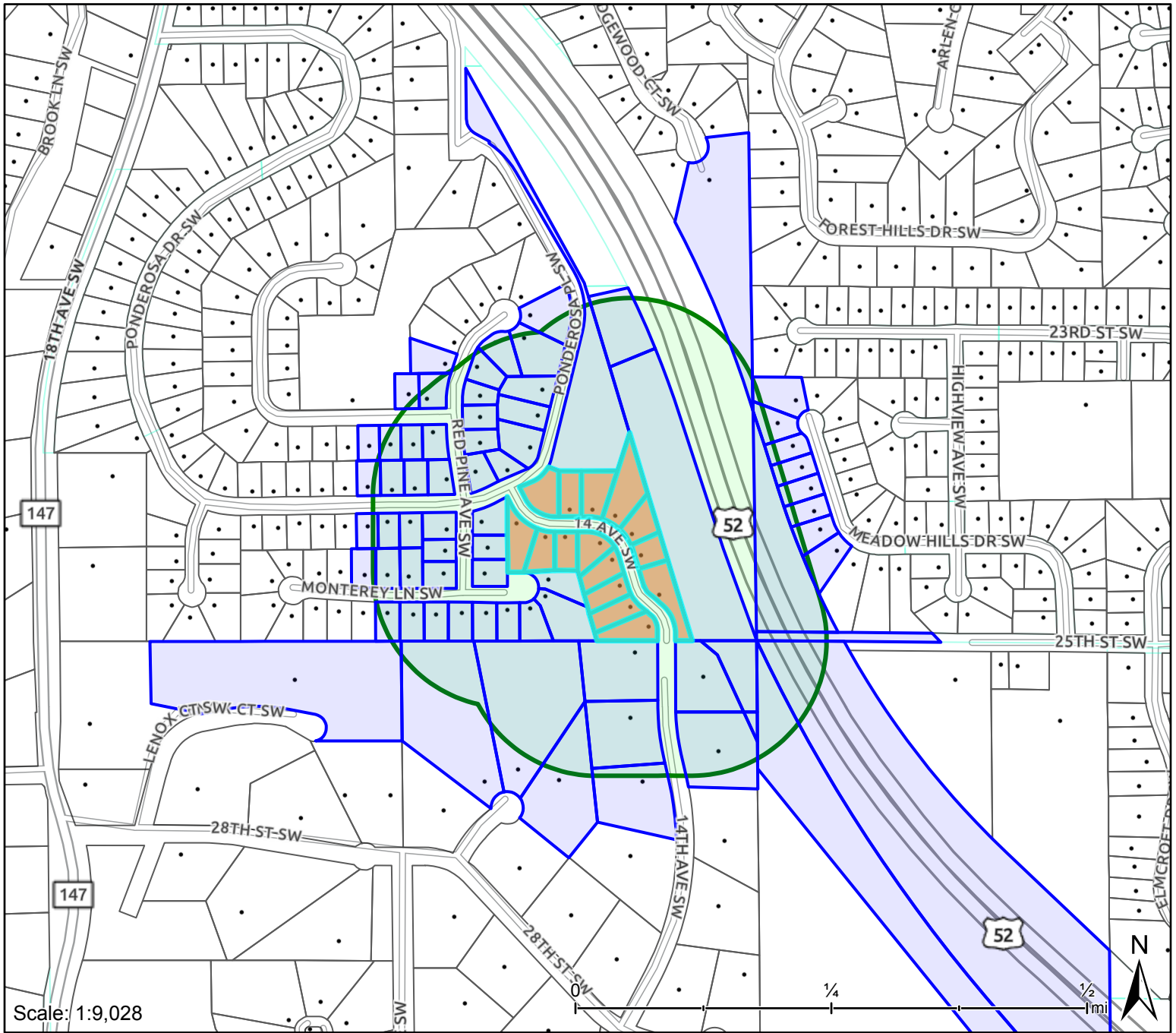
The Community Development Team recommends APPROVAL WITH CONDITIONS, as outlined in the Planning Commission Summary above.

ATTACHMENTS



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

Ponderosa Pine Major Land Subdivision

7/20/2023 Olmsted County Geographic Information Systems



Scale: 1:9,028

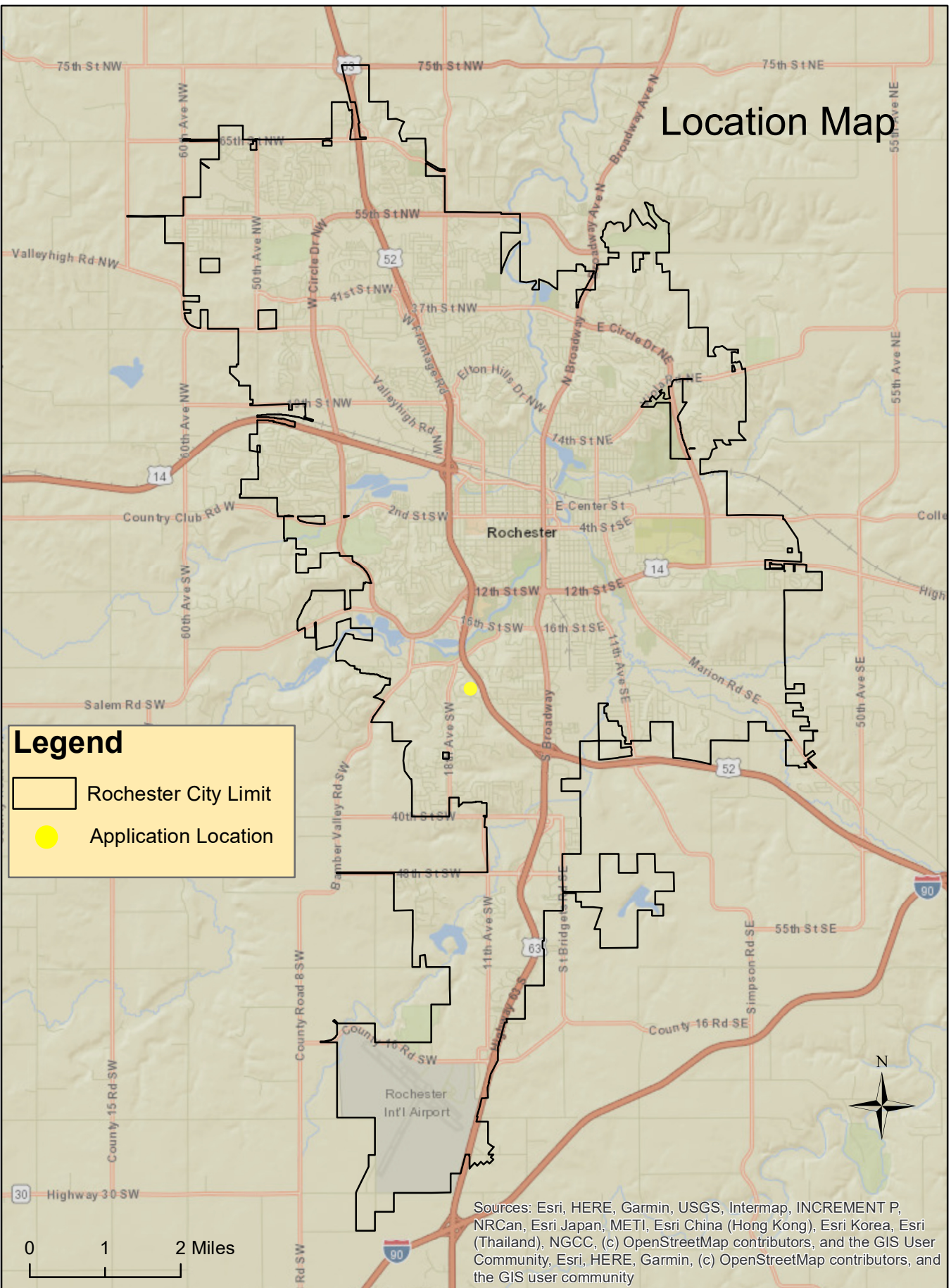
Legend	
	Site
	Parcels
	Notification Area

Major Land Subdivision #CD2023-009PLAT, by Pine South West LLC, to be known as Ponderosa Pine, for the re-subdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision. The site is located southeast of Ponderosa PI SW and west of US Highway 52.
Ward 1/Bamberwood Neighborhood / 500 Feet





**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

July 19, 2023

Community Development

4001 West River Parkway

Rochester, Minnesota 55901

SENT VIA ELECTRONIC MAIL

communitydevelopment@rochestermn.gov

Re: Ponderosa Pine Major Land Subdivision (Preliminary Plat)

Dear Rochester Community Development,

On behalf of our client, Pine South West, LLC, we are submitting the preliminary plat documents for review and scheduling of a planning commission public hearing. WSE has prepared the preliminary plat and all supporting documents in accordance with the UDC, Major Land Subdivision checklist, and the predevelopment meeting held on June 18 with the City of Rochester. This cover letter serves as the narrative and summary of the project.

This project, located at the previously platted lands of Pine Ridge Heights Subdivision, involves the resubdivision of 15 lots to create the proposed 22 lot subdivision to be known as Ponderosa Pine. The project will involve vacating the existing 14th Ave SW and associated easements as a concurrent application. Rochester Public Works staff is reviewing the previously approved stormwater treatment pond located on Outlot A to determine compliance with 2023 standards. The property is not located in mapped Decorah Edge, Wetlands, Floodplain according to Olmsted County GIS mapping. A phase I completed by WSE confirmed no environmental features listed above are present.

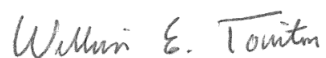
The following documents are being transmitted electronically **EXCEPT** the checks for the fees which will be personally delivered to Community Development office:

1. Signed final plat application.
2. Application check for \$2,670.00. **(Personal Delivery)**
3. Olmsted County resubdivision GIS impact form and fee. **(Check Personal Delivery)**
4. UDC Major land subdivision checklist.
5. Preliminary plat exhibit.
6. Preliminary construction plans.
7. Signed TIR waiver by city engineer.
8. Neighborhood informational meeting minutes

Please let us know if there are any other documents required to process the final plat application. We kindly request this application be considered complete so the review can begin.

Sincerely,

WSE Massey Engineering



William E. Tointon

Director of Land Development

Cc Dragan Kocic



Ryan Schoenfelder

EIT

Agency Review Comments

Application No: CD2023-009PLAT

7/26/2023 **County GIS/E911**

See attached document PonderosaPinePP_Referral.pdf.

7/21/2023 **Park and Rec Review**

See attached comment in Accela software.

7/19/2023 **RPU Water Review**

No comment on Plat. See RPU Water Dept. review letter and preliminary review mark-ups for more information.

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

FROM: Mark E. Baker

RE: Ponderosa Pine Major Land Subdivision
(Replat of lots in Blocks 2 & 3 of Pine Ridge Heights Subdivision)

DATE: 8/2/23

The Department of Public Works has reviewed the application for Major Land Subdivision CD2023-009PLAT, and the proposed Ponderosa Pine development. The following are item(s) that need to be addressed prior to Final Plat application:

1. There had been approved plans for this Property when it was platted as Pine Ridge Heights Subdivision. The current lot layout and street alignment does not match the existing approved plans and therefore, Civil Plans & Stormwater Management Plan approval for the current proposal will be required prior to application for Final Plat. Civil and Stormwater Management Plans ready for review and approval should be emailed to LDSubmittals@Rochestermn.gov along with a completed grading permit application. For stormwater related questions, contact Lindsey Bartolomei at lbartolomei@rochestermn.gov. For civil plan related and city owner contract related questions, contact Kyle Mittlieder at kmittlieder@rochestermn.gov.

Other comments that are not conditions of approval:

1. The TIR wavier is approved for this application.
2. There is an existing Development Agreement and amended Development Agreement applicable to this Property, and as such, development is subject to the terms of the Agreements.
3. Execution of a City-Owner Contract, and dedication of any applicable on and off-site public easements is required prior to construction of any public infrastructure to serve the Property.
4. Completion of Ponderosa Place SW, including sidewalk along the west side of the road, and the storm water BMP on Out Lot A within Pidge Ridge Heights shall be completed as part of a City-Owner Contract concurrent with the first phase of development if this project will be constructed in more than one phase.
5. Development charges/fees applicable to the Property will be addressed in City-Owner Contract and / or Development Agreement.
6. Individual lot development is subject to a Plant Investment Fee (PIF) that collected as part of the Building Permit approval process.

Sent to Planning Department via Accela only

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Thursday, July 20, 2023 12:24 PM
To: Community Development Department
Cc: Schnell, Tracy (DOT); Wayne, Kurt (He/Him/His) (DOT)
Subject: Development Application CD2023-009PLAT

[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: CD2023-009PLAT
- Description: Major Land Subdivision #CD2023-009PLAT, by Pine South West LLC, to be known as Ponderosa Pine, for the resubdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision. The site is located southeast of Ponderosa Pl SW and west of US Highway 52.

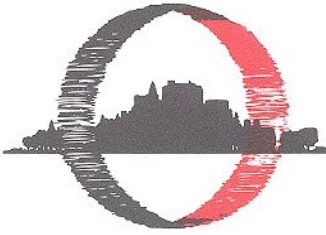
hanks,

Tracy Schnell
Senior Planner | District 6

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

 **DEPARTMENT OF
TRANSPORTATION**





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

**PONDEROSA PINE
PRELIMINARY PLAT REFERRAL**

DATE: JULY 26, 2023
TO: DRAGAN KOCIC (PINE SOUTH WEST LLC), RYAN SCHOENFELDER (WSE MASSEY),
BILL TOINTON (WSE MASSEY)
FROM: ADAM NOWINSKI
CC: DAVID MCCOLLISTER
RE: PONDEROSA PINE PRELIMINARY PLAT GIS REFERRAL

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

- 1) Final Plat GIS Impact and E911 Addressing fees are applicable. Please make the fee payment to the Olmsted County Planning Department.
- 2) Existing addresses assigned for previous plat (Pine Ridge Heights) will be retired.
- 3) Addresses will be assigned after fee payment has been received and after 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

From: Von Wald Wendy <wendy.vonwald@olmstedcounty.gov>
Sent: Friday, July 28, 2023 8:27 AM
To: Community Development Department
Subject: FW: Development Application CD2023-009PLAT is ready for review by 8/2/2023

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

The Olmsted County Property Records has no issues or concerns with the proposed plat of Ponderosa Pine at this time. We reserve the right for further comments during our regular plat check process.

Wendy von Wald, deputy
Olmsted County Property Records
151 4th St SE
Rochester, MN 55904
(507) 328-7634 Fax (507) 328-7964
wendy.vonwald@olmstedcounty.gov



From: Accela_Mail <accela_mail@rochestermn.gov>
Sent: Wednesday, July 19, 2023 2:45 PM
To: Dombrovski, Dillon <ddombrovski@rochestermn.gov>; Michael Nigbur <mnigbur@rochestermn.gov>; Haberman, Jeff <JHaberman@rochestermn.gov>; PW Service <pwservice@olmstedcounty.gov>; RPUElecDistrib <EDistribution@rpu.org>; Douglas Klamerus <dklamerus@rpu.org>; Wade Neubauer <wneubauer@rpu.org>; Turk Jon <jturk@rochestermn.gov>; Brent Svenby <bsvenby@rochestermn.gov>; Reiter Charlie <charlie.reiter@olmstedcounty.gov>; Khan Muhammad <muhammad.khan@olmstedcounty.gov>; Tracy Schnell <Tracy.schnell@state.mn.us>; Hill Tony <tony.hill@olmstedcounty.gov>; jjmosser@charter.net; jekappers@rochester.k12.mn.us; TDLivingston@minnesotaenergyresources.com; BDWolf@minnesotaenergyresources.com; paul.osullivan@minnesotaenergyresources.com; Nicole.lehman@state.mn.us; Langer Skip <skip.langer@olmstedcounty.gov>; Bennett Scott <scott.bennett@olmstedcounty.gov>; Vankeulen Don <don.vankeulen@olmstedcounty.gov>; rene@rneighbors.org; amy.j.storm@usps.gov; Osweiler, Todd <TOsweiler@RPU.ORG>; Justin.Watkins@state.mn.us; Brent Svenby <bsvenby@rochestermn.gov>; Chowdhury Sagar <sagar.chowdhury@olmstedcounty.gov>; Hackman Katie <katie.hackman@olmstedcounty.gov>; Ron Muller <ron.muller@charter.com>; Nowinski Adam <adam.nowinski@olmstedcounty.gov>; McCollister David <david.mccollister@olmstedcounty.gov>; Von Wald Wendy <wendy.vonwald@olmstedcounty.gov>; Fibison Jennifer <jennifer.fibison@olmstedcounty.gov>; Feece, Jeff <JFeece@rochestermn.gov>; Davis Beth <beth.davis@olmstedcounty.gov>; Greg.Vreeman@charter.com; Kelly Peterson <kpeterson@rochestermn.gov>; Cooper, Maribeth <mcooper@rochestermn.gov>; melissa.morris@charter.com; sue.vick@charter.com; jackie.boettcher@charter.com; Norman, Gerald <jnorman@rochestermn.gov>; Gross Kristi <kristi.gross@olmstedcounty.gov>; Hansen Monica <monica.hansen@olmstedcounty.gov>; Mark Baker <mbaker@rochestermn.gov>; Troy Erickson <terickson@rochestermn.gov>; jmiller@rochestermn.gov; Bartolomei,

Lindsey <LBartolomei@rochestermn.gov>; Post Kaylie <kaylie.post@olmstedcounty.gov>; Bunke, Brent <BBunke@rpu.org>; Payne, Luke <LPayne@RPU.ORG>; McGee, Janelle <JMCGEE@ROCHESTERMN.GOV>; Burbank, Tyler <tburbank@rpu.org>; Fenske Max <max.fenske@olmstedcounty.gov>

Subject: Development Application CD2023-009PLAT is ready for review by 8/2/2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

A development application is ready for review:

- Application Number: CD2023-009PLAT
- Description: Major Land Subdivision #CD2023-009PLAT, by Pine South West LLC, to be known as Ponderosa Pine, for the resubdivision of an existing 15 lots consisting of 6.79 acres into a new 22-lot subdivision. The site is located southeast of Ponderosa PI SW and west of US Highway 52.
- Comment Due Date: **8/2/2023**

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

1. [Planning Referral Extranet Site](#): log-in required
2. [Accela](#): log-in required (view the [Accela instructions](#))
3. [Citizen Access](#): no log-in required
 1. Click on the "City Planning" tab
 2. Search for the Record Number (CD2023-009PLAT)
 3. Scroll down to the results screen and click on the Record Number
 4. Click on "Attachments"
 5. Click on the hyperlinked document name

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

Thank you,

Community Development

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



ROCHESTER PARK AND RECREATION DEPARTMENT REFERRAL COMMENTS FORM

DATE: July 21, 2023
TO: Community Development
RE: Ponderosa Pine
 CD2023-009Plat

Acreage of plat.....	6.79 acres
Number of dwelling units.....	7 additional lots created
Density factor.....	0.0244
Dedication18 acres
Fair market value of land.....	\$325,000 per acre

PARK DEDICATION REQUIREMENTS

- As land subdivision is occurring for residential purposes the Parkland Dedication Ordinance is applicable. The new plat is creating 7 additional lots from the original 15 to 22 proposed. As the lots will be served by existing Pine Ridge Park just to the north and west dedication requirements should be met via: cash in lieu of land with payment required prior to recordation of the final plat. The amount owed is \$58,500 (.18 acres x \$325,000 = \$58,500).

BOULEVARD TREE REQUIREMENTS

- Boulevard Trees are required along all public roads at 50' on center. Prior to planting boulevard trees a tree planting permit (free) is required per the boulevard tree ordinance. As part of the permit process Forestry staff will review the landscape plan for species, locational criteria, and site conditions. A boulevard tree planting information sheet is available through the Forestry Division at 507-328-2515.

July 19, 2023

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

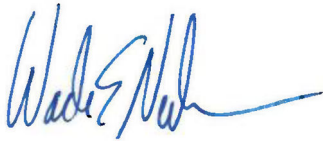
REFERENCE: Final Plat CD2023-009PLAT by Pine South West LLC to be known as Ponderosa Pine

Our review of the referenced final plat is complete and we have no objections, per a preliminary utility plan review, final utility plans have yet to be reviewed.

1. The property may be subject to the water availability fee, connection fees or assessments. Contact Mark Baker (507-328-2427) at the City Public Works Department for details.
2. We have provided the applicant's engineering firm with comments to a preliminary proposed water system layout.
3. Final construction plans will need to conform to standard City of Rochester Requirements.

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

Very truly yours,



Wade Neubauer
Water

C: Luke Payne, RPU
Brent Bunke, RPU
Mark Baker, City Public Works
Chris Ferguson, Fire Prevention Bureau
Trevor Conway, WSE
Dragan Kocic, Owner

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.



REQUEST FOR ACTION

Major Land Subdivision No. CD2023-011PLAT by Hawk Ridge Development LLC, to be known as Hawk Ridge South

MEETING DATE:

August 23, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Reports and Recommendations

PRESENTER:

Elliot Mohler

Action Requested:

Recommending Council approve Major Land Subdivision No. CD2023-011PLAT by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and one outlot.

Report Narrative:

The applicant is proposing a Major Land Subdivision of a 23.92-acre site into 94 residential lots and one outlot. The site is located east of Simpson Rd SE (County Rd 1) and north of US Hwy 52. The site will gain access from three roadways, Hawk Ridge Pl SE, 22nd Ave SE, and 23rd Ave SE. The property is originally part of the larger Quinstar General Development Plan (CD2020-002GDP). This GDP showed 46 single-family lots. A new GDP is under review showing twin-home style development rather than traditional single-family homes. The roadway alignment will remain the same.

The Development Review Team is recommending approval of the Major Land Subdivision application with the following conditions of approval:

1. Prior to acceptance of a Final Plat Application, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
2. Prior to acceptance of a Final Plat Application, Final Plat GIS Impact and E911 Addressing fees must be collected.
3. Prior to recording of a Final Plat, Parkland Dedication fees must be collected.
4. Prior to acceptance of a Final Plat Application, a Development Agreement must be signed to memorialize developer obligations for the site.
5. RPU Electric and RPU Water comments must be addressed on the Final Plat.
6. Prior to acceptance of a Final Plat Application, the concurrent General Development Plan Amendment CD2023-002GDP-A must be approved.

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.

Prior Legislative Actions & Community Engagement:

April 17, 2023: Council Meeting - Growth Management Map Amendment, Annexation, and Zoning Map Amendment Approval

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:

Elliot Mohler

Attachments:

[Community Development Memo - CD2023-011PLAT Hawk Ridge South](#)

[Notification Map - CD2023-011PLAT Hawk Ridge South](#)

[Site Location Map - CD2023-011PLAT Hawk Ridge South](#)

[Plat - CD2023-011PLAT Hawk Ridge South](#)

[Applicant Narrative - CD2023-011PLAT Hawk Ridge South](#)

[Referral Comments - CD2023-011PLAT Hawk Ridge South](#)

[MLS Criteria - CD2023-011PLAT Hawk Ridge South](#)

Rochester Planning and Zoning Commission

August 23, 2023

Prepared By: Rochester Community Development Department

Request: Major Land Subdivision #CD2023-011PLAT by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and 1 outlot.

Location: The site is located east of Simpson Rd SE (County Rd 1) and north of US Hwy 52.

Applicant: Hawk Ridge Development LLC

Consultant: G-Cubed – Mark Welch

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. 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, a Civil and Stormwater Management Plan shall be approved by Rochester Public Works.
2. Prior to acceptance of a Final Plat Application, Final Plat GIS Impact and E911 Addressing fees must be collected.
3. Prior to recording of a Final Plat Application, Parkland Dedication fees must be collected.
4. Prior to acceptance of the Final Plat Application, a Development Agreement must be signed to memorialize developer obligations for the site.
5. RPU Electric and RPU Water comments must be addressed on the Final Plat for approval.

6. Prior to acceptance of a Final Plat Application, the concurrent General Development Plan Amendment CD2023-002GDP-A must be approved.

PROJECT SUMMARY

The applicant is proposing a Major Land Subdivision of a 23.92-acre site into 94 residential lots and one outlet. The development will gain access from three roadways, Hawk Ridge PI SE, 22nd Ave SE, and 23rd Ave SE.

A Growth Management Map Amendment (GMMA), Annexation of Land request, and Zoning Map Amendment were approved by the Rochester City Council on April 17, 2023. The Zoning Map Amendment was to rezone the site from R-1 Mixed Single-Family to R-2 Single-Family Small Lot. The R-2 Single-Family Small Lot will allow for the style development identified on the plat.

The property was originally part of the larger Quinstar General Development Plan (CD2020-002GDP). This GDP showed 46 single-family lots. A General Development Plan Amendment is concurrently under review. The road alignment for this plat remains the same from the General Development Plan. The applicant is proposing twin home style development instead of the originally planned single-family style, resulting in a higher density.

CD2023-009PLAT – ZONING SUMMARY TABLE

Land Use/ Zoning	The underlying Land Use designation for this area is Low-Density Residential, which is compatible with proposed Major Land Subdivision. This site is zoned R-2 (Single-Family Small Lot) and the proposal is consistent with the R-2 development standards.
Streets and Access	The proposed development would have three entrance/exit points via Hawk Ridge PI SE, 22 nd Ave SW, and 23 rd Ave SE. All three of the entrances will be connect by a private drive. 23 rd Ave SE will terminate in a cul-de-sac.
Grading & Stormwater Management	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.
Wetlands/Decorah Edge/Floodplain	The submitted analysis was approved by the LGU. This analysis found that Decorah Edge support features and wetlands were present on the property. These natural features must be managed and maintained in a way that avoids or minimizes any detrimental impact.
Public Facilities	Presently, public facilities exist to service the site. No development will be allowed to occur until the City Council has determined that all required public facilities are sufficiently

	adequate for the development. 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 site.
Utilities	Adequate utilities are available to service the proposed subdivision. RPU Electric and Water are working directly with the applicant on the location of easements and service connections.
Parkland Dedication	Land subdivision is occurring under this development; thus, the Parkland Dedication Ordinance is applicable. The Rochester Parks and Recreation Department has determined that development of this site will require the dedication of 4.12 acres of parkland. Parkland dedication is required prior to recording of the final plat.
Spillover Parking:	This development requires 9 spillover parking spaces. Spillover parking can be accommodated on the driveways within the subdivision plat.

MAJOR LAND SUBDIVISION CRITERIA – STANDARDS FOR APPROVAL

The Community Development 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 criteria is attached to this memo.

The Community Development Team recommends APPROVAL WITH CONDITIONS, as outlined in the Planning Commission Summary above.

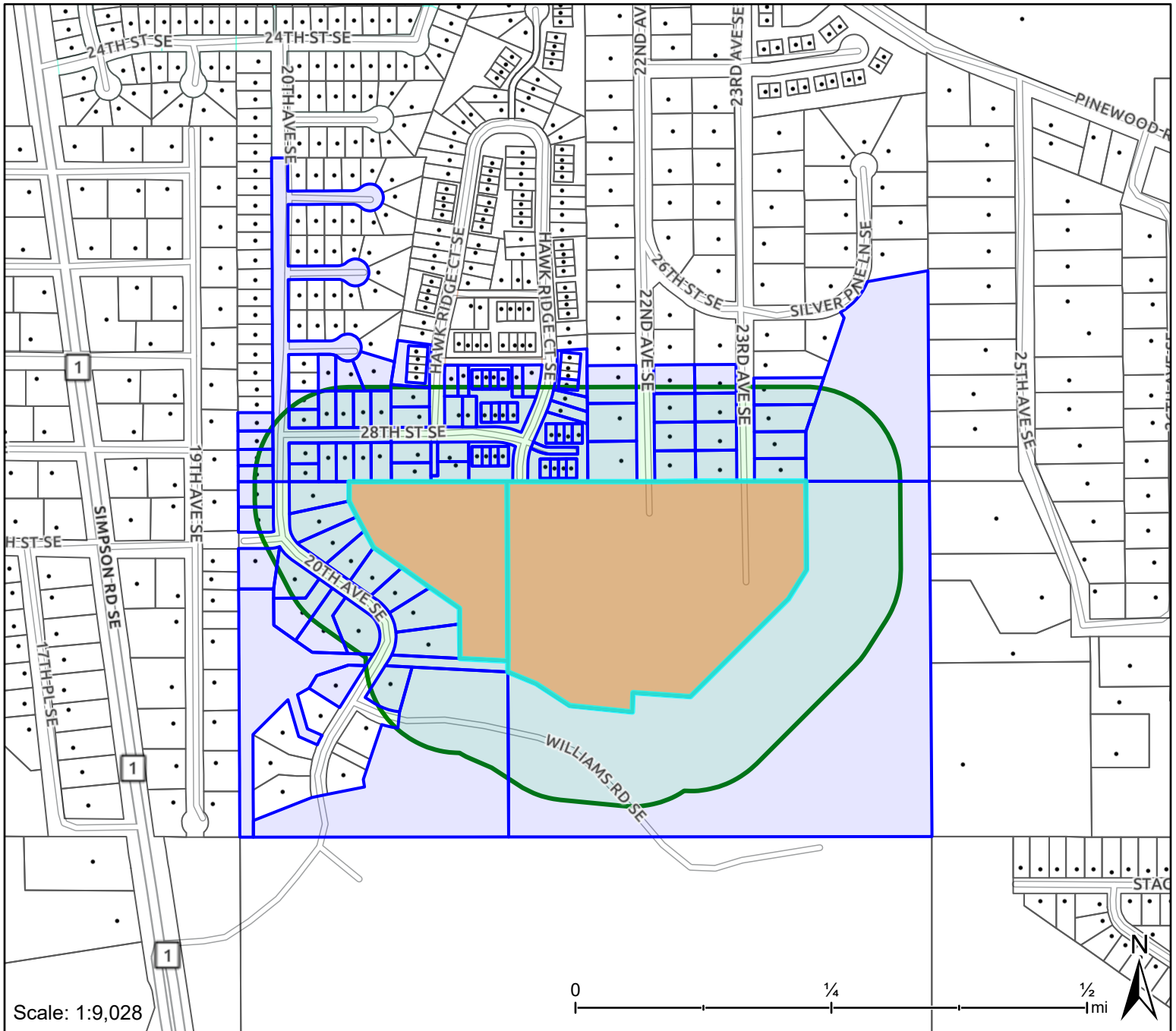
ATTACHMENTS

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

Major Land Subdivision #CD2023-011PLAT



8/8/2023

Olmsted County Geographic Information Systems



Scale: 1:9,028

Legend

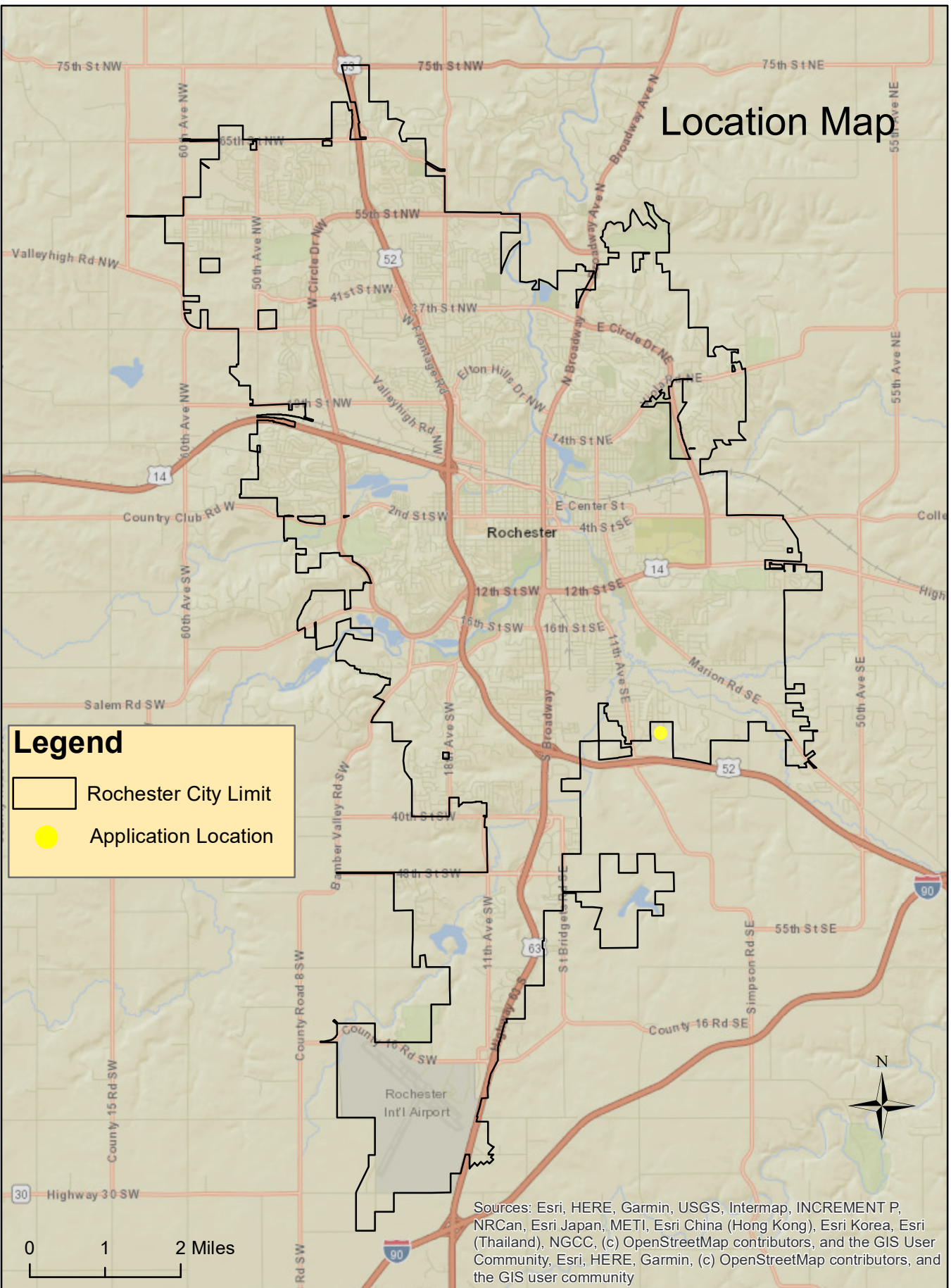
-  **Site**
-  **Parcels**
-  **Notification Area**

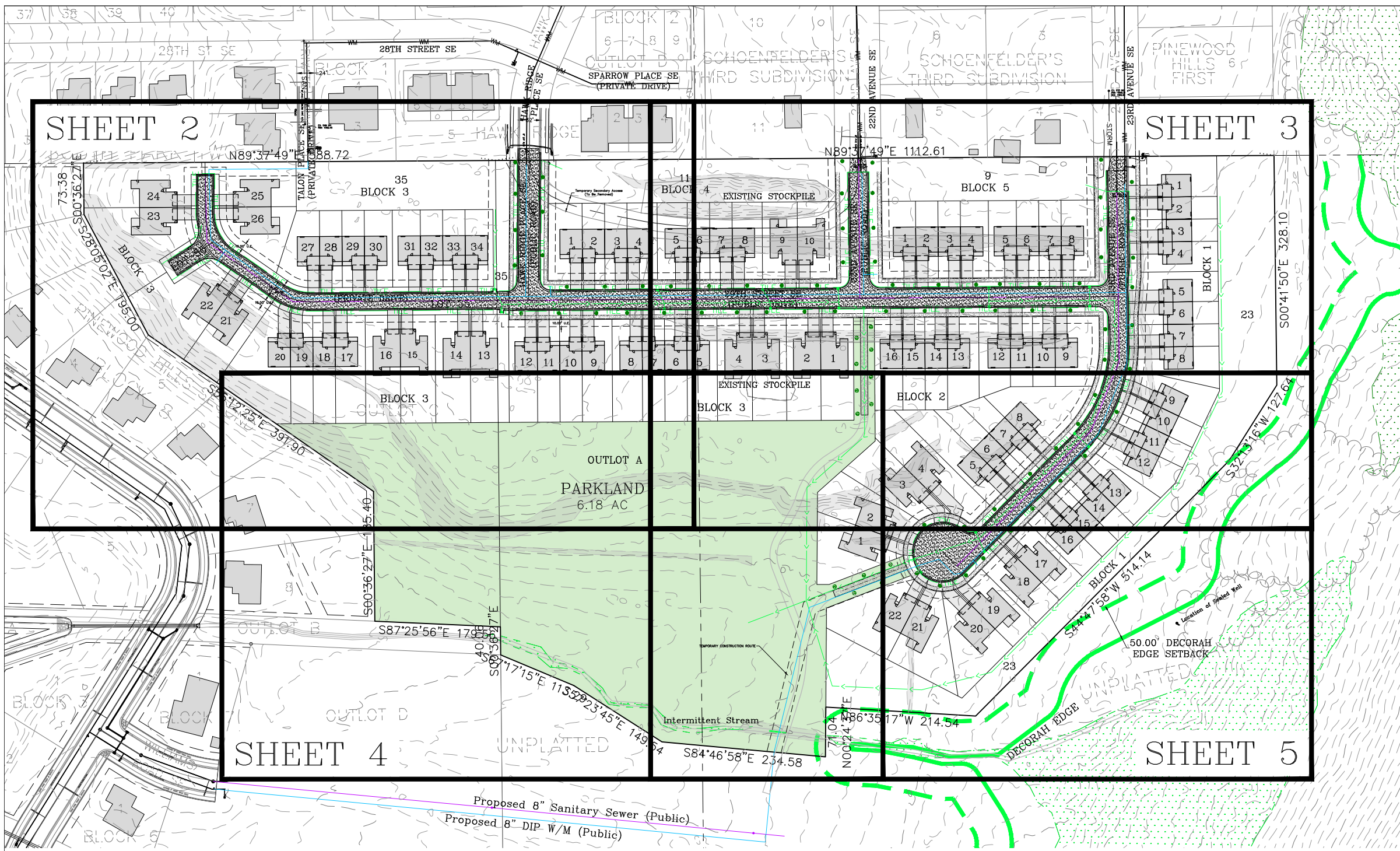
Major Land Subdivision #CD2023-011PLAT, by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and 1 outlot. The site is located east of Simpson Rd SE (County Rd 1) and north of US Hwy 52.
Ward 1, 350' Notification Area
PINs: 068652, 086739



**OLMSTED COUNTY
MINNESOTA**

Location Map

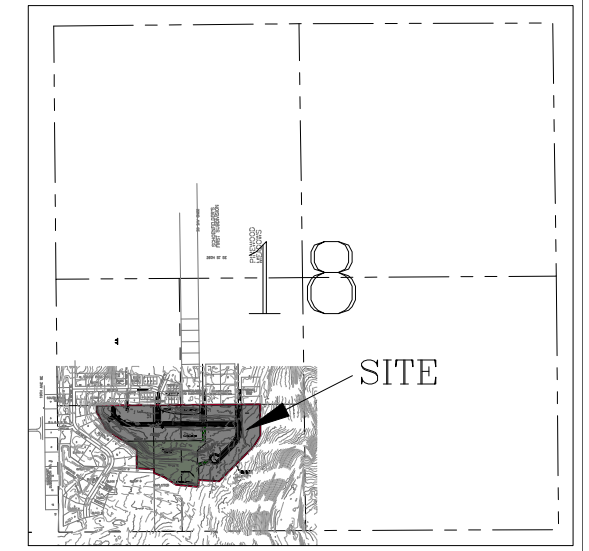




LEGEND

- WATER HYDRANT & GATE VALVE
- SANITARY MANHOLE & CATCHBASIN
- EXISTING WATERMAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EASEMENT LINE
- OVERHEAD ELECTRIC LINES
- UNDERGROUND ELECTRIC LINES
- UNDERGROUND COMMUNICATIONS LINE
- GAS LINE
- 18% SLOPE
- PROPOSED BITUMINOUS SURFACING
- PROPOSED CONCRETE SURFACING
- PROPOSED BUILDING
- EXISTING WETLAND
- PROPOSED WATERMAIN
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- DECORAH EDGE
- 50' DECORAH EDGE SETBACK
- PROPOSED BOULEVARD TREE

VICINITY MAP
 T. 106 N., R. 13 W., SEC. 18
 "NOT TO SCALE"



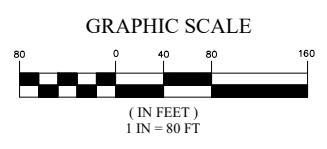
LAND DESCRIPTION:
 That part of the South Half of the Southwest Quarter of Section 18, Township 106 North, Range 13 West, Olmsted County, Minnesota, described as follows:
 Beginning at the northeast corner of PINEWOOD HILLS SECOND, according to the recorded plat thereof, on file at the office of the County Recorder, Olmsted County, Minnesota; thence on an assumed bearing South 01°22'00" East, along the east line of said PINEWOOD HILLS SECOND, 666.31 feet, to the northeast corner of OUTLOT B of said PINEWOOD HILLS SECOND; thence continuing South 01°22'00" East 40.06 feet to the southeast corner of said OUTLOT B of PINEWOOD HILLS SECOND; thence South 68°02'49" East 113.29 feet; thence South 58°09'18" East 149.54 feet; thence South 85°32'32" East 234.58 feet; thence North 00°20'57" West 71.04 feet; thence South 87°20'50" East 214.54 feet; thence North 44°02'25" East 514.14 feet; thence North 31°27'42" East 127.64 feet; thence North 01°27'23" West 328.10 feet to the north line of said South Half of the Southwest Quarter; thence South 88°52'16" West, along said north line, 1112.61 feet to the point of beginning.

The above described parcel contains 18.23 acres, more or less, and is subject to any easements, covenants, and restrictions of record.

AND

Outlot C, PINEWOOD HILLS SECOND, according to the recorded plat thereof on file and of record in the office of the County Recorder, Olmsted County, Minnesota.

BASIS OF BEARINGS
 ALL BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 18-T106N-R13W WHICH IS ASSUMED TO BEAR S89°37'49"W/N89°37'49"E.



PRELIMINARY

OWNER & DEVELOPER
 BIGELOW HOMES
 4057 28TH STREET NW
 ROCHESTER, MN 55901

ENGINEER & SURVEYOR
 G-CUBED INC.
 14070 HWY 52 SE
 CHATFIELD, MN 55923

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.

Mark R Welch
 MARK R WELCH
 DATE 7/20/2023 REG. NO. 42736

DATE: 11/18/2021
 Prepared For:
 BIGELOW HOMES
 4057 28TH STREET NW
 ROCHESTER, MN 55901

FILE NO.: 17-012 PP 2021

G-Cubed
 14070 Hwy 52 S.E.
 Chatfield, MN 55923

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

DESIGNED	RJM
DRAWN	RJM
CHECKED	MRW

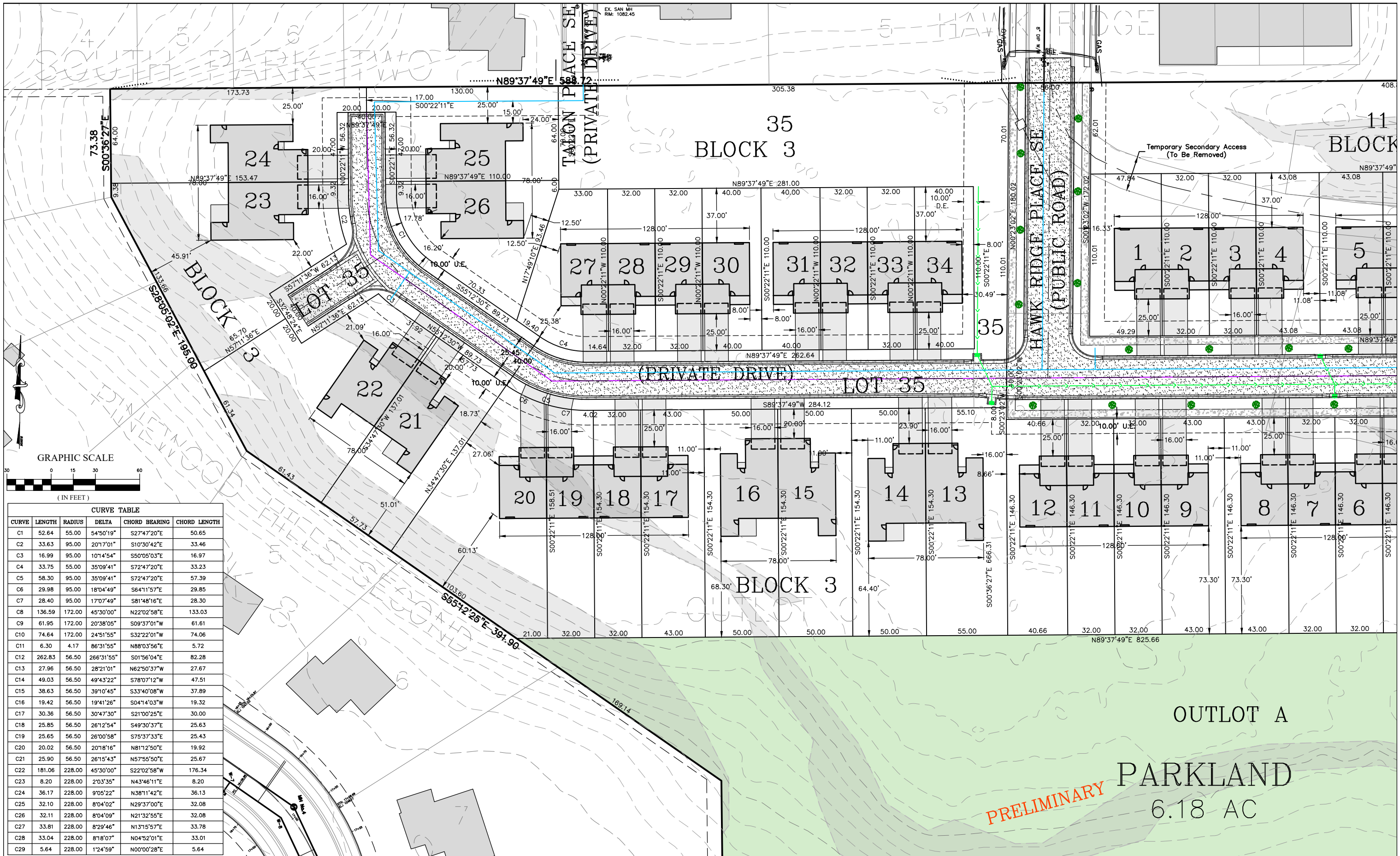
REVISED	BY	DATE
PRELIMINARY	JLF	2/1/2023
PRELIMINARY	RJM	7/20/2023

CITY OF ROCHESTER
OLMSTED COUNTY

BENCHMARK:

HAWK RIDGE SOUTH
PRELIMINARY PLAT

SHEET 1
 OF 5 SHEETS



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	52.64	55.00	54°50'19"	S27°47'20"E	50.65
C2	33.63	95.00	20°17'01"	S10°30'42"E	33.46
C3	16.99	95.00	10°14'54"	S50°05'03"E	16.97
C4	33.75	55.00	35°09'41"	S72°47'20"E	33.23
C5	58.30	95.00	35°09'41"	S72°47'20"E	57.39
C6	29.98	95.00	18°04'49"	S64°11'57"E	29.85
C7	28.40	95.00	17°07'49"	S81°48'16"E	28.30
C8	136.59	172.00	45°30'00"	N22°02'58"E	133.03
C9	61.95	172.00	20°38'05"	S09°37'01"W	61.61
C10	74.64	172.00	24°51'55"	S32°22'01"W	74.06
C11	6.30	4.17	86°31'55"	N88°03'56"E	5.72
C12	262.83	56.50	266°31'55"	S01°56'04"E	82.28
C13	27.96	56.50	28°21'01"	N62°50'37"W	27.67
C14	49.03	56.50	49°43'22"	S78°07'12"W	47.51
C15	38.63	56.50	39°10'45"	S33°40'08"W	37.89
C16	19.42	56.50	19°41'26"	S04°14'03"W	19.32
C17	30.36	56.50	30°47'30"	S21°00'25"E	30.00
C18	25.85	56.50	26°12'54"	S49°30'37"E	25.63
C19	25.65	56.50	26°00'58"	S75°37'33"E	25.43
C20	20.02	56.50	20°18'16"	N81°12'50"E	19.92
C21	25.90	56.50	26°15'43"	N57°55'50"E	25.67
C22	181.06	228.00	45°30'00"	S22°02'58"W	176.34
C23	8.20	228.00	2°03'35"	N43°46'11"E	8.20
C24	36.17	228.00	9°05'22"	N38°11'42"E	36.13
C25	32.10	228.00	8°04'02"	N29°37'00"E	32.08
C26	32.11	228.00	8°04'09"	N21°32'55"E	32.08
C27	33.81	228.00	8°29'46"	N13°15'57"E	33.78
C28	33.04	228.00	8°18'07"	N04°52'01"E	33.01
C29	5.64	228.00	1°24'59"	N00°00'28"E	5.64

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.

Mark R Welch
 MARK R WELCH
 DATE 7/20/2023 REG. NO. 42736

DATE: 11/18/2021
 Prepared For:
BIGELOW HOMES
 4057 28TH STREET NW
 ROCHESTER, MN 55901

FILE NO.: 17-012 PP 2021

G-Cubed
 14070 Hwy 52 S.E.
 Chatfield, MN 55923

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

DESIGNED: RJM
 DRAWN: RJM
 CHECKED: MRW

REVISED	BY	DATE
PRELIMINARY	JLF	2/1/2023
PRELIMINARY	RJM	7/20/2023

CITY OF ROCHESTER
 OLMSTED COUNTY

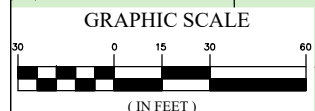
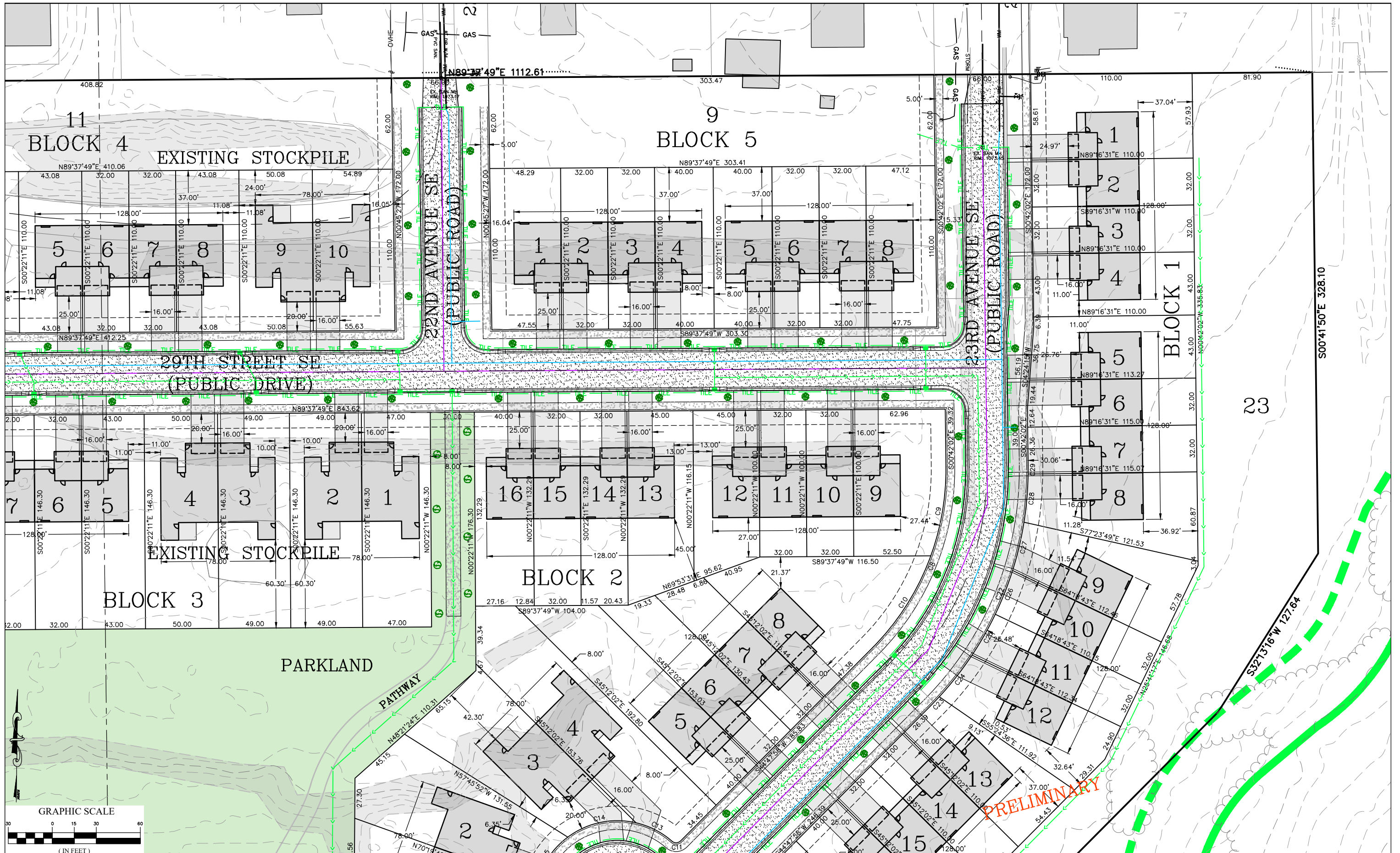
HAWK RIDGE SOUTH
 PRELIMINARY PLAT

BENCHMARK:

SHEET 2
 OF 5 SHEETS

PRELIMINARY

OUTLOT A
 PARKLAND
 6.18 AC



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 7/20/2023 REG. NO. 42736

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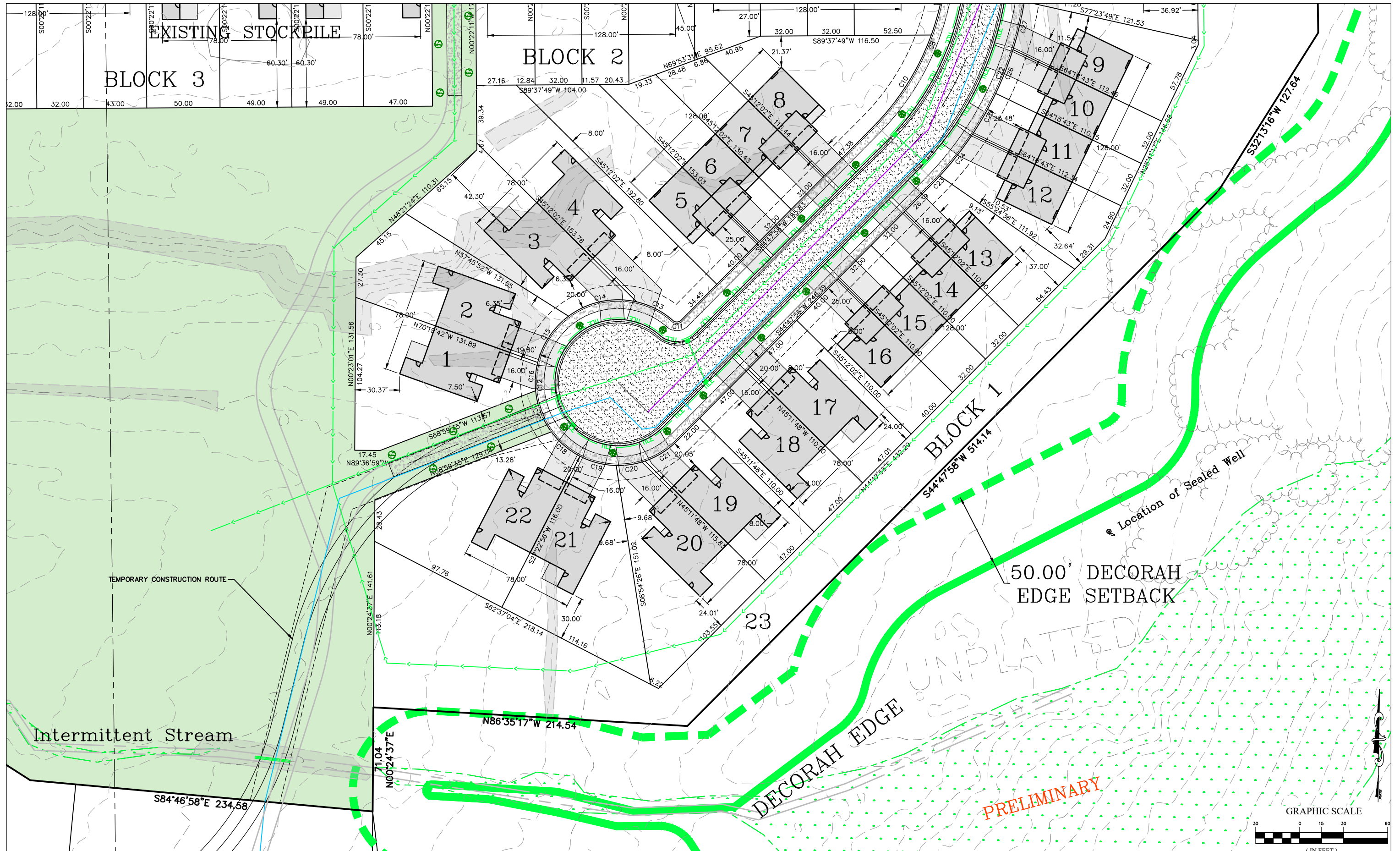
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 Fax. 507-867-1665
 www.gcg.to

DESIGNED: RJM
 DRAWN: RJM
 CHECKED: MRW

REVISED	BY	DATE
PRELIMINARY	JLF	2/1/2023
PRELIMINARY	RJM	7/20/2023

CITY OF ROCHESTER
 OLMSTED COUNTY
 BENCHMARK:

HAWK RIDGE SOUTH
 PRELIMINARY PLAT
 SHEET 3
 OF 5 SHEETS



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 M. R. Welch
 MARK R. WELCH
 DATE 7/20/2023 REG. NO. 42736

DATE: 11/18/2021
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BIGELOW HOMES
 4057 28TH STREET NW
 ROCHESTER, MN 55901
 FILE NO.: 17-012 PP 2021

G³
G-Cubed
 14070 Hwy 52 S.E.
 Chatfield, MN 55923

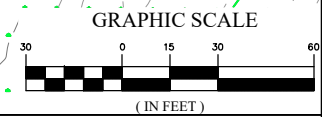
ENGINEERING SURVEYING PLANNING
 Ph. 507.867.1666
 Fax. 507.867.1665
 www.gcg10

DESIGNED RJM
 DRAWN RJM
 CHECKED MRW

REVISED	BY	DATE
PRELIMINARY	JLF	2/1/2023
PRELIMINARY	RJM	7/20/2023

CITY OF ROCHESTER
OLMSTED COUNTY
 BENCHMARK:

HAWK RIDGE SOUTH
PRELIMINARY PLAT
SHEET 5
OF 5 SHEETS



July 20, 2023

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

RE: Hawk Ridge South - 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 to be platted as Hawk Ridge South. Project overviews and details follow.

Project overview:

Hawk Ridge South will create 90 lots for a combination of single-family attached dwellings and twin homes, 4 Home Owners Association (HOA) owned lots controlling a private roadway and community maintained green space, and 1 Outlot that will be deeded to the City to address prior and current parkland credits. Most homes will front public roadways though there is one private roadway in the northwest portion of the project. The development and HOA is modeled off the adjacent Hawk Ridge development which Bigelow Homes also developed. Note that there is no tie between the existing HOA and new HOA that will be created for this development. The HOA created will administer all lawn, landscaping and driveway maintenance. This Major Land Subdivision Permit depicts development of the entire property under control of the developer. Construction and platting is proposed in two phases.

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 Form - (fee paid to Olmsted County)
- 3 TIS Waiver/Determination
- 4 Wetland Delineation/ Decorah Edge Analysis
- 5a Preliminary Construction Plans
- 5b Preliminary Grading Plans
- 6 NIM meeting summary and exhibits - meeting date 6-20-2023
- 7 Approved/Active General Development Plan
- 8 Major Land Subdivision Exhibit

Section 3: Sections of Code to Review

A: 60.400.020E - Dimensional Standards - R-2 - Minimum Lot area 3000 sq ft and 30 foot lot width - All lots are a minimum 32 foot wide at building pad and 110 feet deep for a minimum lot area of 3520 sq ft. All buildings are either a twin unit or four unit footprint and meet the front yard setback of 15 feet (25' on average) and interior sides of 0 feet with sums of interior sides of 10 feet (16' average between buildings). The rear yard setback of 10 feet is met with shortest rear yard depicted at 27 feet. Most rear yards are 37 feet or greater and abut either common area lots or the parkland being dedicated for this project.

B: 60.400.030 - Subdivision Standards

E - Adequate Public Facilities - Parkland dedication will be met via deeding land identified in the GDP process. Sidewalks will be constructed along both sides of the public roads. Two 10' bituminous pathways will be constructed connecting the public streets to the parkland to the south and west. Per terms of the agreement with the seller, off-site sanitary sewer and watermain are to be extended along the future alignment of Williams Road SE which will allow for watermain looping. Four watermain and two sanitary sewer connections to the north will provide utility connections to the project. Other than connections to existing public streets (Hawk Ridge Place SE, 22nd Ave SE and 23rd Ave SE) no offsite street improvements are required to allow development to proceed. The site drains both north and west. The areas draining north route through developed subdivisions which have minimal stormwater infrastructure. The areas draining east do flow to an existing regional stormwater pond within the Pinewood Hills Second development. However, the runoff first needs to be treated onsite before being outletted into an existing drainage channel which contains a wetland corridor. Nearly all impervious surfacing from the development will be captured and conveyed to the stormwater treatment facility that will be constructed between the drainage corridor and parkland being dedicated to the City. Natural Gas is available for the site as are communications lines and electrical power. All other requirements regarding 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 - Public Roads match widths being connected to north of 29th Ave SE. 29th Ave SE and 23rd Lane SE measure 29.34 feet (top back of curb to top back of curb). The private street Hawk Ridge Lane SE measures 25.34 feet in width. The 29.34 foot wide road will be posted "no parking" on one side and private road will have no parking on both sides. There is adequate room for parking in the driveways of the lots leading to the garage.

I - Boulevard Trees - Boulevard Trees will be provided along the public streets at spacing based on one tree per 50 feet. Boulevard Trees are not required along the private road but the developer will add plantings within the development similar to the City requirement.

J - Private Roadways - the one Private Roadways is designed and will be constructed to be compliant with this section. A hammerhead turn around will be provided for emergency vehicle turnarounds.

K - Street Classification - all streets will be local though the connection to 23rd Ave is considered a local collector. This designation may change as that designation is likely from when a prior GDP showed 23rd Ave extending south and west to CSAH 1/11th Ave SE. That alignment is no longer planned and will be infeasible after this development is completed.

L - Quadrant Street System - street naming follows the quadrant system where applicable.

M - Parkland Dedication - parkland dedication will be made via a Quit Claim Deed. There are prior dedication requirements which will be fulfilled as part of this project. The developer will grade the site for a minimum of 2.0 acres at a slope of 4% or less. Trails connecting to the sidewalk system via midblock connections will provide access to the park. When the land to

the south is developed, another link may be provided. Due to stormwater treatment requirements, a portion of the parkland will require a dry stormwater treatment pond. We are proposing that the basin be permitted through a revocable permit. All maintenance will be the responsibility of the HOA being created for the project. We did look at options for putting the basin on its own lot but there are a number of public utilities and pathways intersecting and we feel the public lands with a private agreement for maintenance is the cleanest option moving forward.

C: Access and connectivity (60.400.040C)

C.3 – Street Layout Standards - The subdivision has been designed to be compliant with parts a thru g when applicable.

C.6 - Pedestrian and Bicycle Connectivity and Circulation - 5' concrete sidewalks will be installed on both sides of public streets. Where street construction connects to 22nd Ave SE, a public street without sidewalks, the sidewalks may need to be shortened to allow stormwater drainage to route into the existing rural ditch section. This will be addressed during plan review. There are two midblock connections to the park which will be paved to the rear of the adjacent houses. The pathway in the park will be graded to a slope of less than 5% to be compliant with ADA criteria.

D: Sensitive Lands, Stormwater and Drainage (60.400.050)

60.400.050E - Wetlands - See Decorah Edge Report - There are Decorah Edge features located nearby but offsite. The features and wetlands will not be disturbed during development. The 50 foot setback is depicted on the plans. The downslope ephemeral stream is protected according to the Decorah Edge ordinance though a temporary construction access will be allowed as well as the watermain extension that will provide looping. Onsite stormwater treatment is being provided upslope of the wetland channel that runs along the south property line. Treated runoff is outletted downslope of the wetland. The wetland is fed from seeps from the Decorah Edge Features so routing of the developed runoff away from the channel will not have a negative impact on the water feeding the wetland in the channel.

60.200.040D - Decorah Edge Overlay - See Decorah Edge Analysis and wetland described above.

60.200.040E - Floodplain Overlay - There is no floodplain on or in close proximity of the property.

60.200.040F - Shoreland Protection Permit - There is no shoreland in close proximity of the property.

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: Hawk Ridge Development, LLC - Attn: Tony Bigelow

Agency Review Comments

Application No: CD2023-011PLAT

8/8/2023 **County Environmental Resources**

7/28/2023 **County GIS/E911**

See attached document HawkRidgeSouthPP_Referral.pdf.

8/2/2023 **County Public Works**

8/9/2023 **LGU**

This plan shows a Decorah layer with a reduced Decorah Edge Ephemeral stream that is continuous to the West. The utilities and a construction road may cross this Ephemeral however the stream must be restored once the utilities and construction are complete.

7/21/2023 **Park and Rec Review**

See attached comment in Accela software.

8/3/2023 **Public Works Review**

See attached comment in Accela software.

8/4/2023 **RPU Electric Review**

Items to be addressed prior to application approval:

-Adjust PUE's according to attachment "RPU ELECTRIC REVIEW 8-4-23 - Review Packet 2023-07-21 CD2023-011PLAT"

Additional Comments:

- Provide RPU engineering with electric meter locations and CAD files.

7/26/2023 **RPU Water Review**

Plan revisions are required. Plan mark-ups have been directly emailed to the applicant and applicant's consultant. See RPU review letter for more information.

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

FROM: Mark E. Baker

RE: Hawk Ridge South Major Land Subdivision
(PINs 86739 & 68652)

DATE: 8/2/23

The Department of Public Works has reviewed the application for Major Land Subdivision CD2023-011PLAT, and the proposed Hawk Ridge South development. The following are item(s) that need to be addressed prior to Final Plat application:

1. Civil Plans & Stormwater Management Plan approval will be required through the site development process, and prior to application approval. Civil and Stormwater Management Plans ready for review and approval should be emailed to LDSubmittals@Rochestermn.gov along with a completed grading permit application. For stormwater related questions, contact Lindsey Bartolomei at lbartolomei@rochestermn.gov. For civil plan related and city owner contract related questions, contact Kyle Mittlieder at kmittlieder@rochestermn.gov.
2. There is an existing Development Agreement for this Property from 2000. Many terms and provisions of that agreement do not reflect the current proposed development and a new Development Agreement, to replace the 2000 Agreement and address the adequacy of public facilities, is required prior to Final Plat submittal for any portion of this GDP. The Agreement will act to memorialize 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, ownership and maintenance of any outlots that are not intended for future development, contributions for sanitary sewer and water, and the extension of public infrastructure to abutting properties where applicable.

Other comments that are not conditions of approval:

1. The TIR wavier 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 prior to construction of any public infrastructure to serve the Property.
3. Development charges/fees applicable to the Property will be addressed in City-Owner Contract and / or Development Agreement.
4. Individual lot development is subject to a Plant Investment Fee (PIF) that collected as part of the Building Permit approval process.
5. All construction related traffic should enter from the southwest corner of the development.

Sent to Planning Department via Accela only

Cooper, Maribeth

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Thursday, August 3, 2023 9:18 AM
To: Community Development Department
Cc: Schnell, Tracy (DOT); Wayne, Kurt (He/Him/His) (DOT)
Subject: Development Application CD2023-011PLAT

[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.

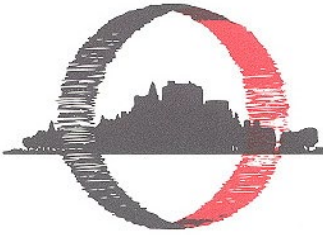
- Application Number: CD2023-011PLAT
- Description: Major Land Subdivision #CD2023-011PLAT, by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and 1 outlot. The site is located east of Simpson Rd SE (County Rd 1) and north of US Hwy 52.

Thanks,

Tracy Schnell
Senior Planner | District 6

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





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

**HAWK RIDGE SOUTH
PRELIMINARY PLAT REFERRAL**

DATE: JULY 28, 2023
TO: TONY BIGELOW (HAWK RIDGE DEVELOPMENT, LLC), MARK WELCH (G-CUBED)
FROM: ADAM NOWINSKI
CC: DAVID MCCOLLISTER
RE: HAWK RIDGE SOUTH PRELIMINARY PLAT GIS REFERRAL

A review of the HAWK RIDGE SOUTH 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 payable to the Olmsted County Planning Department.
- 2) Please provide us with potential street names for the private roadway in this development.
- 3) New addresses will be assigned after fee payments have been received and after 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

From: Von Wald Wendy <wendy.vonwald@olmstedcounty.gov>
Sent: Friday, July 28, 2023 10:01 AM
To: Community Development Department
Subject: FW: Development Application CD2023-011PLAT is ready for review by 8/2/2023

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

The Olmsted County Property Records has no issues or concerns with the proposed plat of Hawk Ridge South at this time. We reserve the right for further comments during our regular plat check process.

Wendy von Wald, deputy
Olmsted County Property Records
151 4th St SE
Rochester, MN 55904
(507) 328-7634 Fax (507) 328-7964
wendy.vonwald@olmstedcounty.gov



From: Accela_Mail <accela_mail@rochestermn.gov>
Sent: Friday, July 21, 2023 2:21 PM
To: Dombrowski, Dillon <ddombrowski@rochestermn.gov>; Michael Nigbur <mnigbur@rochestermn.gov>; Haberman, Jeff <JHaberman@rochestermn.gov>; PW Service <pwservice@olmstedcounty.gov>; RPUElecDistrib <EDistribution@rpu.org>; Douglas Klamerus <dklamerus@rpu.org>; Wade Neubauer <wneubauer@rpu.org>; Turk Jon <jturk@rochestermn.gov>; Brent Svenby <bsvenby@rochestermn.gov>; Reiter Charlie <charlie.reiter@olmstedcounty.gov>; Khan Muhammad <muhammad.khan@olmstedcounty.gov>; Tracy Schnell <Tracy.schnell@state.mn.us>; Hill Tony <tony.hill@olmstedcounty.gov>; jjmosser@charter.net; jekappers@rochester.k12.mn.us; TDLivingston@minnesotaenergyresources.com; BDWolf@minnesotaenergyresources.com; paul.osullivan@minnesotaenergyresources.com; Nicole.lehman@state.mn.us; Langer Skip <skip.langer@olmstedcounty.gov>; Bennett Scott <scott.bennett@olmstedcounty.gov>; Vankeulen Don <don.vankeulen@olmstedcounty.gov>; rene@rneighbors.org; amy.j.storm@usps.gov; Osweiler, Todd <TOsweiler@RPU.ORG>; Justin.Watkins@state.mn.us; Brent Svenby <bsvenby@rochestermn.gov>; Chowdhury Sagar <sagar.chowdhury@olmstedcounty.gov>; Hackman Katie <katie.hackman@olmstedcounty.gov>; Ron Muller <ron.muller@charter.com>; Nowinski Adam <adam.nowinski@olmstedcounty.gov>; McCollister David <david.mccollister@olmstedcounty.gov>; Von Wald Wendy <wendy.vonwald@olmstedcounty.gov>; Fibison Jennifer <jennifer.fibison@olmstedcounty.gov>; Feece, Jeff <JFeece@rochestermn.gov>; Davis Beth <beth.davis@olmstedcounty.gov>; Greg.Vreeman@charter.com; Kelly Peterson <kpeterson@rochestermn.gov>; Cooper, Maribeth <mcooper@rochestermn.gov>; melissa.morris@charter.com; sue.vick@charter.com; jackie.boettcher@charter.com; Norman, Gerald <jnorman@rochestermn.gov>; Gross Kristi <kristi.gross@olmstedcounty.gov>; Hansen Monica <monica.hansen@olmstedcounty.gov>; Mark Baker

<mbaker@rochestermn.gov>; Troy Erickson <terickson@rochestermn.gov>; jmiller@rochestermn.gov; Bartolomei, Lindsey <LBartolomei@rochestermn.gov>; Post Kaylie <kaylie.post@olmstedcounty.gov>; Bunke, Brent <BBunke@rpu.org>; Payne, Luke <LPayne@RPU.ORG>; McGee, Janelle <JMCGEE@ROCHESTERMN.GOV>; Burbank, Tyler <tburbank@rpu.org>; Fenske Max <max.fenske@olmstedcounty.gov>

Subject: Development Application CD2023-011PLAT is ready for review by 8/2/2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

A development application is ready for review:

- Application Number: CD2023-011PLAT
- Description: Major Land Subdivision #CD2023-011PLAT, by Hawk Ridge Development LLC, to be known as Hawk Ridge South, for the subdivision of 23.92 acres into 94 residential lots and 1 outlot. The site is located east of Simpson Rd SE (County Rd 1) and north of US Hwy 52.
- Comment Due Date: **8/2/2023**

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

1. [Planning Referral Extranet Site](#): log-in required
2. [Accela](#): log-in required (view the [Accela instructions](#))
3. [Citizen Access](#): no log-in required
 1. Click on the "City Planning" tab
 2. Search for the Record Number (CD2023-011PLAT)
 3. Scroll down to the results screen and click on the Record Number
 4. Click on "Attachments"
 5. Click on the hyperlinked document name

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

Thank you,

Community Development

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



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

DUE DATE: July 21, 2023

TO: Community Development Department

RE: Hawk Ridge South
CD2023-011PLAT

Acreage of plat.....	23.92
Number of dwelling units.....	94
Density factor.....	.0244
Dedication	2.29
Fair market value of land.....	

PARK DEDICATION REQUIREMENTS

- The Park and Recreation Department recommends that dedication requirements be met via: Land meeting the requirements set forth in the LDM 64.400 Park Land Dedication, this land shall be dedicated prior to recordation of any further final plats in this GDP. Be they commercial or residential in nature.

The parkland dedication shall include land required for the previous plats in this GDP:

Pinewood Hills First (22 lots x .0244)	.5368 acres
Pinewood Hills Second (23 lots x .0244)	.5612 acres
Pinewood Meadows First (30 x .0244)	.732 acres

Current Plat (94 lots x .0244): 2.29 acres

Total parkland required on this plat: 4.12 acres

The current plat shows proposed parkland of 6.18 Acres total in outlot A. Please verify on the plat that the following information from the GDP exists in outlot A:

Steep slopes:	1 acre
Drainage wetlands:	.5 acre
Stormwater treatment:	.5 acre
Parkland:	4.18 acres (2.09 acres graded to less than 4% slope)

- Boulevard Trees are required along public streets at 50' on center. Prior to planting boulevard trees a tree planting permit (free) is required per the boulevard tree ordinance. As part of the permit process Forestry staff will review the landscape plan for species, locational criteria, and site conditions. A boulevard tree planting information sheet is available through the Forestry Division at 507-328-2515.

Agency Review Comments

Application No: CD2023-011PLAT

8/8/2023 **County Environmental Resources**

7/28/2023 **County GIS/E911**

See attached document HawkRidgeSouthPP_Referral.pdf.

8/2/2023 **County Public Works**

8/9/2023 **LGU**

This plan shows a Decorah layer with a reduced Decorah Edge Ephemeral stream that is continuous to the West. The utilities and a construction road may cross this Ephemeral however the stream must be restored once the utilities and construction are complete.

7/21/2023 **Park and Rec Review**

See attached comment in Accela software.

8/3/2023 **Public Works Review**

See attached comment in Accela software.

8/4/2023 **RPU Electric Review**

Items to be addressed prior to application approval:

-Adjust PUE's according to attachment "RPU ELECTRIC REVIEW 8-4-23 - Review Packet 2023-07-21 CD2023-011PLAT"

Additional Comments:

- Provide RPU engineering with electric meter locations and CAD files.

7/26/2023 **RPU Water Review**

Plan revisions are required. Plan mark-ups have been directly emailed to the applicant and applicant's consultant. See RPU review letter for more information.

July 26, 2023

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

REFERENCE: Preliminary Plat CD2023-011PLAT by Hawk Ridge Development LLC to be known as Hawk Ridge South

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

1. We have provided the applicant's engineering firm with comments on the proposed water system layout.
2. Final construction plans will need to conform to standard City of Rochester and Minnesota Department of Health requirements.
3. Soil Boring Logs along with the preliminary construction plans will need to be submitted to Minnesota Department of Health requesting and exception be granted for the gravity sewer and water main to be in common trench, less than the required 10' min. horizontal separation. If the exception is granted, applicant or applicant's engineer shall provide documentation to RPU.
4. Static water pressures will range from mid 30's to lower 50's PSI within this area. Homes with main finished floors above the elevation of 1077' (approx. 40 PSI) need 1 ½" copper water services installed from the water main to the buildings to reduce the pressure loss from the pipe at higher flow rates. Also this low pressure should be taken into account with the design of the interior plumbing systems for each home as required by the Minnesota Plumbing Code.

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

Very truly yours,



Wade Neubauer
Water

C: Luke Payne, RPU
Brent Bunke, RPU
Jerry Norman, Building Safety
Gary Schick, Building Safety, Plumbing
Mark Baker, City Public Works
Chris Ferguson, Fire Prevention Bureau
Mark Welch, GGG
Tony Bigelow, Owner

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.



REQUEST FOR ACTION

**Zoning Map Amendment No. CD2023-007ZC by
Farmland LLC (Mercy Hill)**

MEETING DATE:

August 23, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Public Hearings

PRESENTER:

Elliot Mohler

Action Requested:

Forwarding a recommendation to Council approving Zoning Map Amendment No. CD2023-007ZC, by Farmland LLC, to change the zoning district designation of 12.17 acres from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot).

Report Narrative:

The applicant is proposing a zone change of 12.17 acres from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot).

The site is located west of US Hwy 52, south of 65th St NW, and east of the Orchard Ridge Subdivision. The site is currently in the Mercy Hill First Subdivision, which was approved in 2022. This subdivision includes the new Life Worship Center (north of the site) and Hillside Crossing Apartments (north of New Life). At the time of the Mercy Hill Subdivision, it was determined that Lot 1, Block 2 (subject site) would develop as a low-density single-family neighborhood. The applicant has submitted a General Development Plan (GDP) that is currently under review which shows a mixture of traditional single-family dwellings and twin-home style dwellings.

Priorities & Foundational Principles:

Economic Vibrancy & Growth Management

Policy Considerations & DEI Impact:

Approval of this zone change would further the goals of the P2S Comprehensive Plan by expanding housing diversity, enhancing the integrity of the existing neighborhood, and improving community connectivity.

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:

Elliot Mohler

Attachments:

[Community Development Memo - CD2023-007ZC Mercy Hill](#)

[Notification Map - CD2023-007ZC Mercy Hill](#)

[Site Location Map - CD2023-007ZC Mercy Hill](#)

[Zoning Map Amendment Exhibit - CD2023-007ZC Mercy Hill](#)

[UDC Use Regulations Table - CD2023-007ZC Mercy Hill](#)

[Applicant Narrative - CD2023-007ZC Mercy Hill](#)

[Referral Comments - CD2023-007ZC Mercy Hill](#)

ROCHESTER PLANNING COMMISSION

June 14, 2023

- Prepared by:** Rochester Community Development
- Request:** Zoning Map Amendment CD2023-007ZC by Farmland LLC, to change the zoning district designation of an approximate 12.17 acres of a 28-acre site from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot).
- Location:** The site is located west of US Hwy 52, south of 65th St NW, and east of the Orchard Ridge Subdivision.
- Owners:** Farmland LLC
- Consultant:** Logan Tjossem / Widseth

COMMISSION AND COUNCIL SUMMARY

Application Type: Zoning Map Amendment

What is Considered: During the Zoning Map Amendment review, the Planning and Zoning Commission and City Council evaluate whether the criteria established in Section 60.500.040E.4 are satisfied. These criteria cover areas such as consistency with the Comprehensive Plan and compatibility with surrounding development and future development.

Site development issues such as architecture, site layout, building orientation, site landscaping, open space, site parking, screening and the aesthetic character of the development are not criteria for consideration of a Zoning Map Amendment application.

The Development Review Team supports the approval of CD2023-007ZC as the proposed zoning district will be consistent with the underlying land use. The Low-Density Residential Land Use is characterized by areas consisting of single-family housing in a detached or attached home configuration. The R-2 Single-Family Small Lot zoning district allows for low density housing in the form of single-family detached and attached, such as duplexes, triplexes, and fourplexes.

Approval Body: Rochester City Council

Development Review Team Recommendation: Approval

SUMMARY AND BACKGROUND INFORMATION

The site is 12.17 acres in size and is located west of US Hwy 52, south of 65th St NW, and east of the Orchard Ridge Subdivision. The request is to rezone the property from R-1 Mixed Single-Family to R-2 Single-Family Small Lot. The site is currently vacant land.

The site is currently in the Mercy Hill First subdivision, which was approved in 2022. Included in this subdivision is New Life Worship Center (north of site) and Hillside Crossing Apartments (north of New Life). At the time of the Mercy Hill First Subdivision, it was determined that the Lot 1, Block 2 (subject site) would most likely develop as low-density single-family neighborhood.

The applicant has submitted a General Development Plan (GDP) for the site that is currently under review. The GDP proposes a mixed development consisting of single-family attached and detached dwellings. The site will gain access from Winesap Dr NW, with an eventual connection to 34th Ave NW and 65th St NW. Approval of the rezone would maintain and enhance the overall character of the low-density residential area in northwest Rochester. Future development of the site will require a Major Land Subdivision and Final Plat.

Table 300.01-1 Allowed Uses Table is included as an attachment to give examples of allowed uses in the R-1 and R-2 districts. R-1 is denoted in orange and R-2 is denoted in red.

“S” = Staff Approval

“P” = Planning Commission Approval

“C” = City Council Approval

“*” = Reference to Additional Regulations

COMMUNITY DEVELOPMENT REVIEW

Land Use Plan:	The site is guided for high density residential.
Adjacent Land:	<p><u>North:</u> The properties to the north are zoned R-1.</p> <p><u>East:</u> The properties to the east are zoned MX-G.</p> <p><u>South:</u> The properties to the south are zoned R-1.</p> <p><u>West:</u> The properties to the west are zoned R-1.</p>
Public Infrastructure:	Public facilities (roadways, sanitary sewer, water, and storm water management facilities) exist or are planned soon to service the subject properties. A development agreement with City Public Works will determine the necessary work required of the developer at time of Final Plat.

SITE SUMMARY AND DISTRICT COMPARISON

Current Zoning (R-1 Mixed Single-Family Residential)

The R-1 district is intended to maintain and promote areas of low residential density where the emphasis is generally on the development of single-family dwellings of various styles.

Proposed (R-2 Single-Family Small Lot)

The R-2 district is intended to maintain and promote areas with a mixture of residential dwelling types that are of an overall low-density or are undergoing a conversion from predominantly single-family detached dwellings to duplexes and other attached dwellings.

This Zone Change furthers the following priorities set forth by the Comprehensive Plan:

Expand Housing Diversity

The R-2 district allows for overall low-density housing that can take the form of detached and attached single family housing, fourplex style development, or cottage development. The Unified Development Code categorizes these styles of dwellings as being an overall low-density residential use.

Enhance the Integrity of Existing Neighborhoods

This site would be considered infill development. Including additional diverse low-density residential dwelling options serves to enhance the existing neighborhood to the west developing the existing vacant land between two existing developments.

Improve Community Connectivity

Development of this site is considered infill development. 14th Ave SW will be extended and intersect with Ponderosa PI SW which will add additional access. The site was previously platted but was never built out. This replat would include an additional seven residential lots to the existing 15.

ZONE CHANGE MAP AMENDMENT REVIEW

Under the provisions of Section 60.500.40E of the Unified Development Code, the Planning Commission shall recommend for approval and the Council shall approve an application requesting an amendment to the zoning map if the amendment satisfies the following criteria (staff suggested findings are in **bold**):

60.500.040E.4 Criteria for Rezoning Approval

1. The amendment must satisfy all of the following criteria:

- a. The permitted uses allowed within the proposed zoning district will be appropriate on the subject property and compatible with adjacent properties and the neighborhood; and

The permitted uses allowed in the proposed R-2 Single-Family Small Lot district are appropriate for the subject property and are compatible with the surrounding land use. The R-2 district facilitates the development of low-density housing options that are compatible with traditional single-family style development such as duplexes, triplexes, and fourplexes. This district allows for a slightly reduced lot area (3,000 sq ft instead of 5,000 sq ft) and lot width (30 ft instead of 60 ft).

- b. The proposed amendment does not involve spot zoning.

Per the League of Minnesota Cities, spot zoning is characterized by the rezoning of a small parcel of land that:

- **Has no supporting rational basis that relates to promoting public welfare; or**
- **Establishes a use classification inconsistent with surrounding uses and creates an island of nonconforming use within a larger zoned district; or**
- **Dramatically reduces the value for uses specified in the zoning ordinance of either the rezoned plot or abutting property.**

The proposed R-2 Single-Family Small Lot zoning district is consistent with the underlying Low-Density Residential land use. Based on the above definition, this zone change cannot be classified as spot zoning.

2. In addition to the requirements in Section 60.500.040E.4.a.1, the amendment must satisfy at least one of the following criteria:
- a. The area, as presently zoned, is inconsistent with the policies and goals of the Comprehensive Plan;
 - b. The area was originally zoned erroneously due to a technical or administrative error;
 - c. While both the present and proposed zoning districts are consistent with the Comprehensive Plan, the proposed district better aligns with the policies and goals of the Comprehensive Plan or other adopted City plans or policies, as determined by City Council;

The R-1 and R-2 are both consistent with the underlying Low-Density Residential land use. However, the R-2 district allows for a greater diversity of low-density residential housing that may allow for affordable options and expand homeownership opportunities outside of the traditional detached single-family dwelling. The P2S Comprehensive Plan places a large emphasis on the inclusion of housing diversity and the enhancement of existing neighborhoods. Approval of the zone change from the R-1 district to the R-2 district would further those goals of the comprehensive plan as they pertain to housing.

- d. The area has changed or is changing to such a degree that it is in the public interest to rezone to encourage development or redevelopment of the area consistent with the policies and goals of the Comprehensive Plan; or
- e. The area includes lands identified as Decorah Edge and the amendment would provide for beneficial development that maintains typical urban density while preserving habitat and protecting processes that maintain groundwater and quantity.
- f. The area includes lands identified on adopted City plans as an important natural or historic resource, and the amendment would provide for beneficial development that would protect those resources.

STAFF RECOMMENDATION

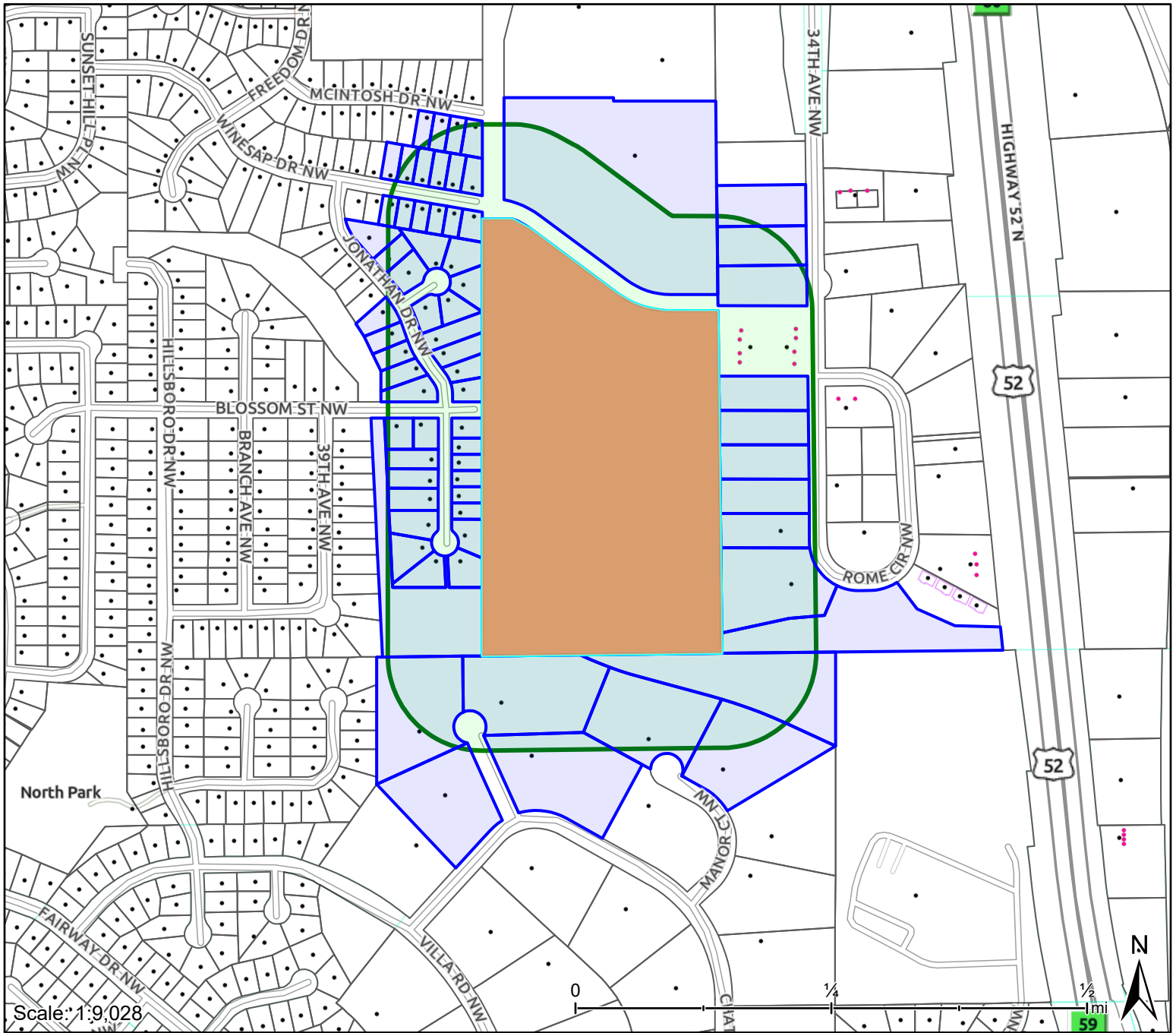
This request was reviewed in accordance with the provisions of Section 60.500.40E.4 for Zone Change Map Amendment. The Development Review Team recommends **approval** of the zone change, as outlined in the Commission & Council Summary above.

ATTACHMENTS

1. Notification Map
2. Site Location Map
3. Zone Change Map Amendment Exhibit
4. UDC Use Regulations Table
5. Applicant Narrative
6. Referral Comments




CD2023-007ZC Mercy Hill - Ward 3

7/26/2023 Olmsted County Geographic Information Systems



Scale: 1:9,028

Legend

-  Site
-  Parcels
-  Notification Area

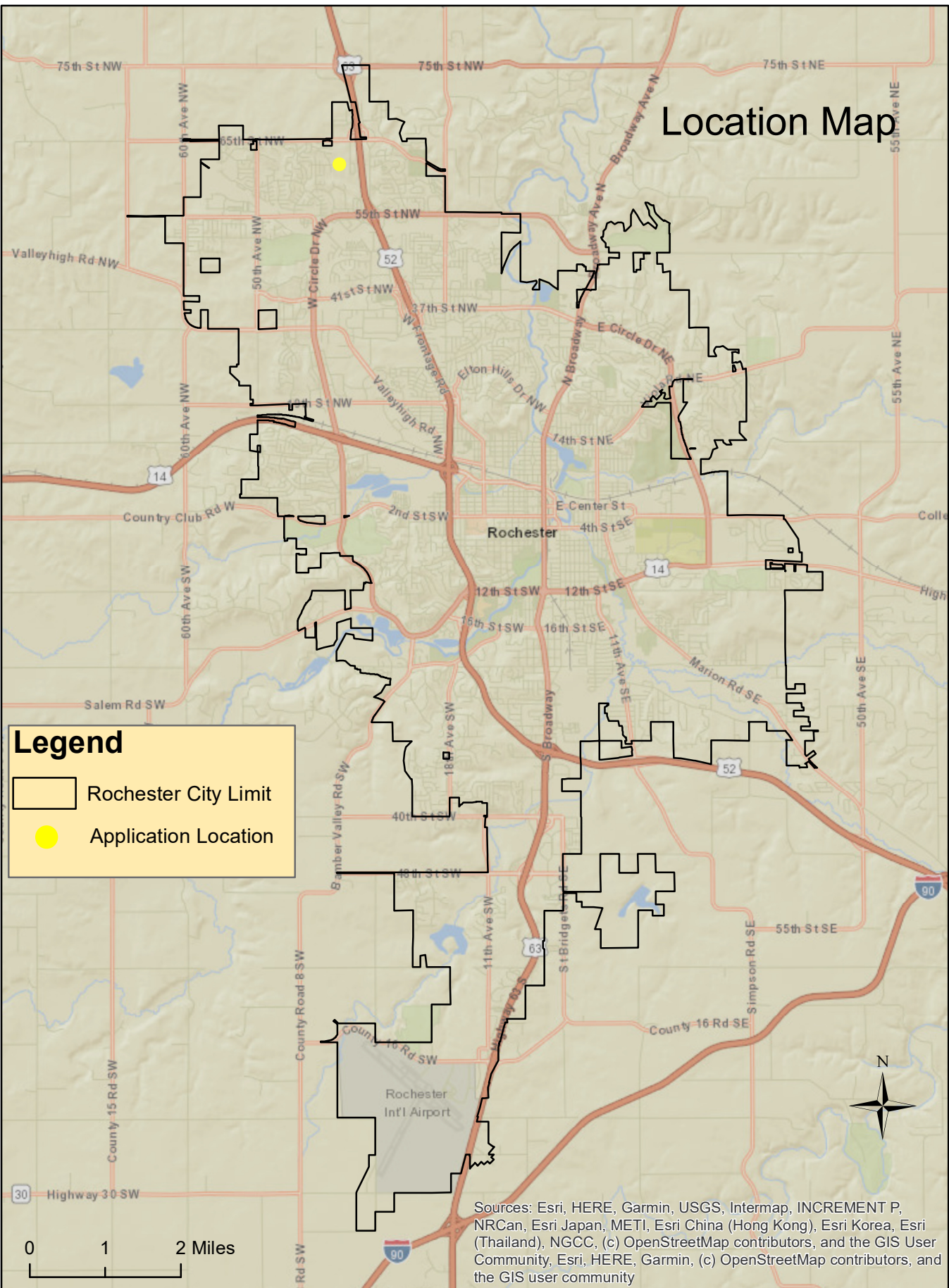
350' Notification Area NW Neighbors

Zone Change #CD2023-007ZC, by Farmland LLC, to change the Zoning District designation of an approximate 12.17 acres of a 28-acre site from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot). The site is located west of US Hwy 52, south of 65th St NW, and east of the Orchard Ridge Subdivision.



OLMSTED COUNTY
MINNESOTA

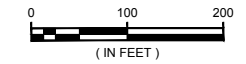
Location Map



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

PART OF THE SW1/4, NW1/4, SEC. 9, T.107 N., R. 14 W.

REZONE SKETCH



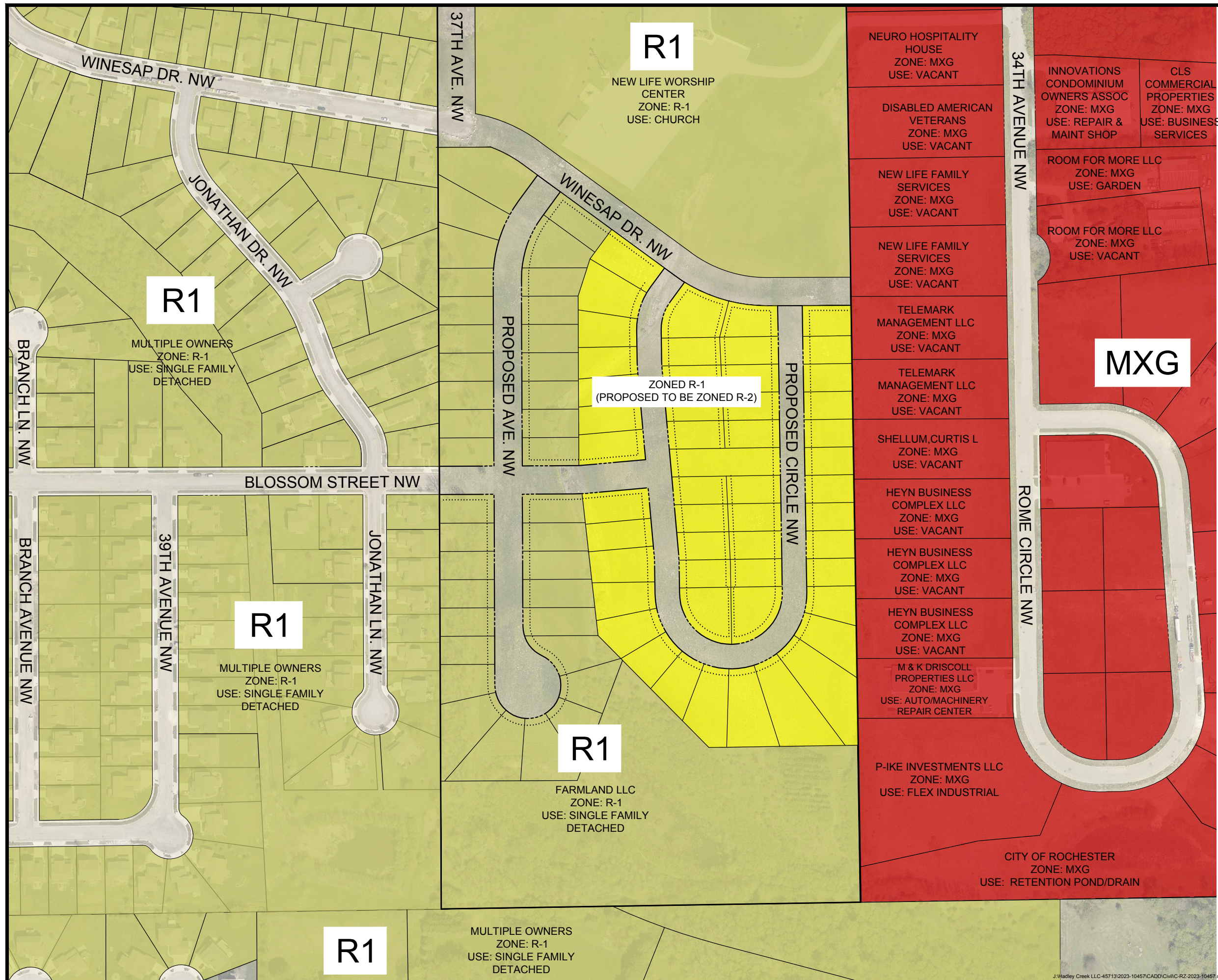
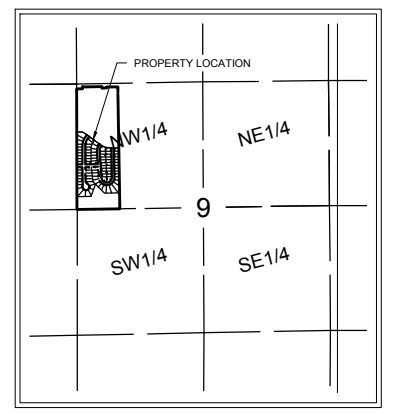
INDEX

- PROPOSED REZONE
- MXG - MIXED USE GENERAL DISTRICT
- R-1 LOW DENSITY RESIDENTIAL DISTRICT
- R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

REZONE LEGAL DESCRIPTION TO R-2 MERCY HILL - RESIDENTIAL SUBDIVISION

That part of the Northwest Quarter of Section 9, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:
 Commencing and the southwest corner of said Northwest Quarter of Section 9; thence North 89 degrees 05 minutes 01 second East, assumed bearing, along the south line of said Northwest Quarter, a distance of 890.67 feet; thence North 00 degrees 55 minutes 52 seconds West 333.62 feet to the point of beginning; thence South 89 degrees 04 minutes 08 seconds West 317.03 feet; thence North 44 degrees 43 minutes 33 seconds West 334.55 feet; thence North 06 degrees 24 minutes 06 seconds West 302.97 feet; thence North 06 degrees 36 minutes 29 seconds West 60.10 feet; thence North 00 degrees 14 minutes 33 seconds West 359.80 feet; thence North 17 degrees 51 minutes 21 seconds East 83.01 feet; thence North 36 degrees 13 minutes 10 seconds East 77.36 feet; thence South 53 degrees 46 minutes 50 seconds East 166.21 feet; thence southeasterly 209.82 feet along a tangential curve concave to the northeast, having a delta angle of 36 degrees 25 minutes 48 seconds and a radius of 330.00 feet; thence North 89 degrees 47 minutes 22 seconds East 178.02 feet to the westerly line of Block 1 of North Orchard Park Subdivision; thence South 00 degrees 55 minutes 52 seconds East, along said westerly line of Block 1 and the southerly extension thereof, a distance of 933.35 feet to the point of beginning.

VICINITY MAP SEC. 9, T. 107, R. 14



NEURO HOSPITALITY HOUSE
 ZONE: MXG
 USE: VACANT

DISABLED AMERICAN VETERANS
 ZONE: MXG
 USE: VACANT

NEW LIFE FAMILY SERVICES
 ZONE: MXG
 USE: VACANT

NEW LIFE FAMILY SERVICES
 ZONE: MXG
 USE: VACANT

TELEMARK MANAGEMENT LLC
 ZONE: MXG
 USE: VACANT

TELEMARK MANAGEMENT LLC
 ZONE: MXG
 USE: VACANT

SHELLUM, CURTIS L
 ZONE: MXG
 USE: VACANT

HEYN BUSINESS COMPLEX LLC
 ZONE: MXG
 USE: VACANT

HEYN BUSINESS COMPLEX LLC
 ZONE: MXG
 USE: VACANT

HEYN BUSINESS COMPLEX LLC
 ZONE: MXG
 USE: VACANT

M & K DRISCOLL PROPERTIES LLC
 ZONE: MXG
 USE: AUTO/MACHINERY REPAIR CENTER

P-IKE INVESTMENTS LLC
 ZONE: MXG
 USE: FLEX INDUSTRIAL

INNOVATIONS CONDOMINIUM OWNERS ASSOC
 ZONE: MXG
 USE: REPAIR & MAINT SHOP

ROOM FOR MORE LLC
 ZONE: MXG
 USE: GARDEN

ROOM FOR MORE LLC
 ZONE: MXG
 USE: VACANT

ROOM FOR MORE LLC
 ZONE: MXG
 USE: VACANT

ROOM FOR MORE LLC
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ROOM FOR MORE LLC
 ZONE: MXG
 USE: VACANT

ROOM FOR MORE LLC
 ZONE: MXG
 USE: VACANT

CITY OF ROCHESTER
 ZONE: MXG
 USE: RETENTION POND/DRAIN

R1

NEW LIFE WORSHIP CENTER
 ZONE: R-1
 USE: CHURCH

R1

MULTIPLE OWNERS
 ZONE: R-1
 USE: SINGLE FAMILY DETACHED

R1

MULTIPLE OWNERS
 ZONE: R-1
 USE: SINGLE FAMILY DETACHED

R1

FARMLAND LLC
 ZONE: R-1
 USE: SINGLE FAMILY DETACHED

R1

MULTIPLE OWNERS
 ZONE: R-1
 USE: SINGLE FAMILY DETACHED

ZONED R-1
 (PROPOSED TO BE ZONED R-2)

MXG

CLS COMMERCIAL PROPERTIES
 ZONE: MXG
 USE: BUSINESS SERVICES

CLS COMMERCIAL PROPERTIES
 ZONE: MXG
 USE: BUSINESS SERVICES

CLS COMMERCIAL PROPERTIES
 ZONE: MXG
 USE: BUSINESS SERVICES

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 USE: BUSINESS SERVICES

Chapter 60.300: Use Regulations

Section 60.300.010 Introduction

Section 60.300.010D: Relation to Local, State, or Federal Laws

2. All uses required by any local, state, or federal government to have an approval, license, or permit to operate are required to have that local, state, or federal approval, license, or permit at the time the use is established.

3. Allowed Uses Table

Table 300.01-1 Allowed Uses Table																				
S = Staff approval; P = Planning Commission approval; C = City Council approval; V = vacant use; I = interim use; A = accessory use; T = temporary permit; Blank cell = prohibited; Uses with an * = use-specific standards apply																				
Zoning districts and subdistricts (where applicable)	Residential and Agricultural					Mixed Use										Non-Residential			Use-Specific Standards	
	AG	R-1	R-2	R-2x	R-3	R-4	MX-N	MX-S	MX-C	MX-G	MX-I	Corridor	Node	Village	Fringe	Medial	Business	BP		LI
Residential Uses																				
Household Living																				
Dwelling, Single-Family Detached	S	S	S	S																
Dwelling, Twin-Home			S	S	S	S	S													
Dwelling, Attached			S	S	S	S	S	S			S	S	S	S	S	S				
Dwelling, Duplex, Same Lot			S	S	S	S	S			S	S									
Dwelling, Triplex			S	S	S	S	S			S	S									
Dwelling, Fourplex			S	S	S	S	S			S	S									
Dwelling, Multifamily			S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*				Section 60.300.020B.3
Dwelling, Live/Work			S	S	S	S	S	S		S	S	S	S	S						
Dwelling, Cottage Development			S*	S*	S*	S*	S	S			S	S	S							Section 60.300.020B.2
Manufactured Home Park			P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*				Section 60.300.020B.4
Group Living																				
Congregate Housing			S	S	S	S	S	S	S	S	S	S	S	S	S	S				Section 60.300.020B.1
Dormitory														P	P	P				Section 60.300.020B.1
Medical Stay Dwelling Unit			S	S	S	S	S	S	S	S	S	S	S							
Nursing Home			P*	P*	P	S*	S*	P	S	S	S	S	S	S	S	S				Section 60.300.020B.5

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Offender Transitional Housing		C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*		Section 60.300.020B.6
Residential Care Facility		S/P*	S/P*	S/P*	S/P*	S/P*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*				Section 60.300.020B.7
Public, Institutional, and Civic Uses																					
Art Gallery, Museum, and Library	P	P	P	P	S	S	S	S	S	S	S	S	S	S	S	S	S				
Cemetery	P*	P*	P*	P*	P*	P*															Section 60.300.020C.1
College or University						P		P	P	P	P	P	P	P	P	P	P				
Community Center	P*	P*	P*	P*	P*	P*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*				Section 60.300.020C.2
Community Garden	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*				Section 60.300.020C.3
Correctional Facility											C							C	C	C	
Day Care Facility	S/P	S/P*	S/P*	S/P*	S/P*	S/P*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	P*	P*	Section 60.300.020C.4
Emergency Service	P*	P*	P*	P*	P*	P*	P*	P*	S*	S*	S*	P*	P*	P*	P*	P*	P*	S*	S*	S*	Section 60.300.020C.5
Funeral Home		P	P	P	S*	S*	S	S	S	S	S								S		Section 60.300.020C.6
Medical Facility		P*	P*	P*	P*	P*	S*	S	S	S	S	S	S	S	S	S	S				Section 60.300.020C.7
Place of Worship	S	S	S	S	S	S	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*				Section 60.300.020C.8
Public Park	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	
School	S*	S*	S*	S*	S*	S*	P*	P*	P*	P*	P*	P*			P*						Section 60.300.020C.9
Social Services	P	P*	P*	P*	P*	P*	S*	S	S	S	S	S	S	S	S	S	S				Section 60.300.020C.10

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Specialized Education						S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Commercial Uses																					
Agricultural and Animal Uses																					
Agriculture Production	S	P*	P*	*															S	S	Section 60.300.020D.2
Agriculture Retail	S						S			P									S	S	
Veterinary and Animal Services	S*			S	S	S	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	Section 60.300.020D.27
Entertainment and Recreation																					
Adult Entertainment										S*	S*	S*	S*	S*	S*	S*	S*	S*	S*		Section 60.300.020D.1
Auditorium or Civic Center	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Campgrounds or RV Park	P*									P*											Section 60.300.020D.8
Indoor Entertainment or Recreation					P*	P*	S*	S*	S	S	S	S	S	S	S			S	S	S	Section 60.300.020D.12
Indoor Gun Range										C*									C*	C*	Section 60.300.020D.13
Outdoor Entertainment or Recreation						P*		P*	S*	S*	P*	P							S*		Section 60.300.020D.18
Food, Beverage, and Lodging																					
Bar or Tavern							P*	S	S	S*	S	S	S	S	S*	S	S	P	P*		Section 60.300.020D.5
Bed and Breakfast			P*	P*	P*	P*	S	S	S	S	S										Section 60.300.020D.6
Fast Food Restaurant						P*	P*	S*	S	S	S	S	S	S	S	S	S	S	S	S	Section 60.300.020D.9
Hotel or Motel								S	S	S	S	S	S	S	S	S	S		P		

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Neighborhood Food and Service			P	S	S	S	S*	S*	S	S	S	S	S	S	S	S	S				Section 60.300.020D.16
Standard Restaurant						P*	S	S*	S*	S*	S*	S*	S*	S*	S*	S	S*	S	S*	S*	Section 60.300.020D.22
Office, Business, and Professional Services																					
Art Studio and Workshop				V		S	S	S	S	S	S	S	S	S	S	S	S				Section 60.300.020D.4
Business or Personal Service			S*	S*	S*	S*	S*	S	S*	S*	S	S	S	S	S	S	S	S	S		Section 60.300.020D.7
Construction Office									P*										S*	S*	Section 60.300.020D.9
Financial Institution						S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Office			S		P*	S*	S*	S	S	S	S	S	S	S	S	S	S	S	S		Section 60.300.020D.17
Research and Testing								P	S	S	S	S	S	P*	S	P	S	S	S		Section 60.300.020D.21
Retail Sales																					
Retail, Neighborhood			S	V	S	S*	S*	S	S	S	S	S	S	S	S	S	S				Section 60.300.020D.23
Retail, Small			P*	P*	S*		S*	S	S	S	S	S	S	S	S	S			S		Section 60.300.020D.24
Retail, Medium							P	S*	S	S	S	S	S	S		S			S		Section 60.300.020D.25
Retail, Large							P	S*	P*	S*	S*	S*	S*		S*	P	S*				Section 60.300.020D.26
Vehicles and Transportation																					
Air Transportation									C*	C*									P*	P*	Section 60.300.020D.3
Automotive Center							P	P	S					S				S	S	S	
Automotive Repair Services, Major								P	S									P	S	S	

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Fueling Station							P*	S*	S*					A*				S	S*	S*	Section 60.300.020D.11
Motor Freight and Warehousing								P	S*	P								P	S*	S*	Section 60.300.020D.14
Motor Vehicle Sales, Leasing or Storage								S	S*									S*	S*	S	Section 60.300.020D.15
Parking Garage					A*	A*				A*	S*	C*	C*	C*	C*	C*	C*	A*	A*	A*	Section 60.300.020D.19
Parking Lot	A	A*	A*	A*	A*	A*	A*	A*	S	S	S	C*	C*	C*	I	I	I	S	S	S	Section 60.300.020D.20
Public Transportation Dispatch Facility									S	P	P	P	S		P	P	S	S	S	S	
Railroad Transportation																				S	
Industrial Uses																					
Manufacturing, Processing, and Commercial Services																					
Artisan Manufacturing							S	S	S	S	P	S	S	S	S	S	S				
Heavy Commercial Services									S	S	P							P	S	S	
Heavy Industry																				S*	Section 60.300.020E.1
Light Industry										P								S	S	S	
Recycling Transfer Facility									S	S	S							P	S	S	
Repair and Maintenance Shop				P*			S*	S*	S*	S*	S*	S*		S*				S	S	S	Section 60.300.020E.4
Storage and, Distribution, and Wholesaling																					
Junkyard																				C*	Section 60.300.020E.2

Chapter 60.300: Use Regulations

Section 60.300.010 Introduction

Section 60.300.010D: Relation to Local, State, or Federal Laws

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Zoning districts and subdistricts (where applicable)	Residential and Agricultural						Mixed Use									Non-Residential			Use-Specific Standards				
	AG	R-1	R-2	R-2x	R-3	R-4	MX-N	MX-S	MX-C	MX-G	MX-I	Corridor	Node	Village	Fringe	Medial	Business	BP		LI	SI		
Self Service Storage Facility								P*	S*	S								P*	S*	S	Section 60.300.020E.6		
Wholesale Facility								S*	S*	P								S*	S*	S*	Section 60.300.020E.7		
Resource and Extraction																							
Landfill																					C		
Quarry	C*																				C*	C*	Section 60.300.020E.3
Sand or Gravel Excavation	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	C*	C*	C*		Section 60.300.020E.5	
Utility, Communication, and Energy Uses																							
Commercial Wireless Telecommunication Service (CWTS)																							Section 60.300.020F.1
Co-Located on Existing Structure	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	
Freestanding	P*						P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Stealth on Existing Structure	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	
Communications Tower								P	P	P	P	P	P	P	S	P	P	S	S	S			
Geothermal Energy System	P	A*	A*	A*	A*	A*	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	P	
Solar Collector, Ground- or Building-Mounted	P*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P*	P*	P*	Section 60.300.020F.2
Utility, Major	C*						C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	Section 60.300.020F.3
Utility, Minor	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	

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Zoning districts and subdistricts (where applicable)	Residential and Agricultural						Mixed Use										Non-Residential			Use-Specific Standards	
	AG	R-1	R-2	R-2x	R-3	R-4	MX-N	MX-S	MX-C	MX-G	MX-I	Corridor	Node	Village	Fringe	Medial	Business	BP	LI		SI
Wind Energy Conversion System (WECS), Ground- or Building-Mounted	P*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P*	P*	P*	Section 60.300.020F.3
Accessory Uses and Structures																				Section 60.300.020G.1	
Accessory Dwelling Unit	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*				Section 60.300.020G.5
Animal Husbandry	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*				Section 60.300.020G.6
Billboard										A*										A*	Section 60.300.020G.7
Drive-in Facility								A*	A*	A*	A*	A*	A*					A*	A*	A*	Section 60.300.020G.8
Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Fuel Tank	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	Section 60.300.020G.9
Garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*				Section 60.300.020G.10
Greenhouse	A	A*	A*	A*	A*	A*	A	A	A	A								A	A	A	Section 60.300.020G.11
Home Occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*				Section 60.300.020G.12
Outdoor Eating Area				A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			Section 60.300.020G.13
Recreational Vehicle Parking	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								A*	A*	A*	Section 60.300.020G.14
Recycling Drop Box					A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	Section 60.300.020G.15
Related Service Facility	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	Section 60.300.020G.16

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Residence for Caretaker or Security Guard									A*	A*								A*	A*	A*	Section 60.300.020G.17
Residential Management or Sales Office		A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*				Section 60.300.020G.18
Swimming Pool or Tennis Court	A	A*	A*	A*	A*	A*	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Section 60.300.020G.19
Urban Agriculture	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Section 60.300.020G.20
Temporary Uses																					
Carnival or Festival	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	Section 60.300.020H.1
Contractor's Office and Yard	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	Section 60.300.020H.2
Food Truck	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	Section 60.300.020H.3
Garage Sale	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	Section 60.300.020H.4
Seasonal Sales	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	Section 60.300.020H.5
Storage Container	T*	T*	T*	T*	T*	T*	T*	T*	A*	A*								A*	A*	A*	Section 60.300.020H.6

GDP and REZONE NARRATIVE

To: Community Development

RE: Narrative and Suggested Findings

Mercy Hill Second Subdivision General Development Plan and Re-Zone from R-1 to R-2.

We are proposing a new residential subdivision with 88 lots and 1 outlot, extensions of new public roads and utility infrastructure with a mix of single-family homes and town homes. We are requesting approval of a GDP and Zone Change to R-2 on a portion of the property. A preliminary plat and final plat will follow. Please see the responses and suggested findings for approval below and in **BOLD**:

The Community Development Director shall approve a **General Development Plan** if the following are satisfied:

- 1) All applicable standards in this UDC are met including the proposed land uses for the underlying zoning district as stated in Table 300.01-1 Allowed Uses Table, and standards in Section 60.400.030, Subdivision Standards, and Section 60.400.040, Access and Connectivity; **See the attached GDP Exhibit.**
- 2) The mix of housing is consistent with adopted the Comprehensive Plan. **The Comprehensive Plan identifies the area to be Low Density Residential with a density of 4 -7 units per acre. The proposed single-family and twin home dwellings are consistent with that designation with an overall density of 4.8 units per acre.**
- 3) The proposed plan makes provisions for planned improvements and streets reflected in the City's adopted Capital Improvements Program; **The proposed plan makes provisions for planned improvements to Local Collectors and Local Streets reflected in the Comprehensive Plan.**
- 4) Utilities are available to directly serve the area of the proposed land use, or the City is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6- Year Capital Improvements Program, or that other arrangements have been made pursuant to Section 60.500.030E.7 Financial Assurances to ensure that adequate utilities will be available concurrently with development; **Some utilities have been extended by the City of Rochester previously. Additional utilities will be added in the first phase of development.**
- 5) Provisions for wetlands areas and DEO zoning district Edge Support comply with applicable standards in this UDC and will maintain the quality and quantity of groundwater recharging lower aquifers and to protect discharge, interflow, infiltration, and recharge processes. If the eventual platting of the area will require approval of a Major Land Subdivision Permit, the proposed development must satisfy one of the following categories of development:
 - (a) A development bounded on all sides by arterial or higher-level streets, streams, or other topographic constraints, existing development, land already included in an approved General Development Plan, or permanent open space that limits the inclusion of other abutting lands; **We**

are proposing a new residential subdivision with 87 lots and 1 outlot, extensions of new public roads and utility infrastructure with a mix of single-family homes and twin homes.

(b) A development with adequate public facilities and constituting the entire remaining service area of a major public facility improvement (such as a trunk sewer or water tower) that has been identified as a project in the Capital Improvement Program;

(c) A development that consists of at least 80 acres in land area regardless of ownership or interest, and consists of all lands for which the applicant has ownership or interest; or

(d) A development for which a development agreement has been executed by the owner and the city for the entire property included in the proposed General Development Plan.

The Community Development Director shall review and make recommendation to the Planning Commission and the Commission will review and make recommendation to the City Council for a final decision on **Zoning District Amendments** if the following criteria are met:

1) The amendment must satisfy all of the following criteria:

(a) The permitted uses allowed within the proposed zoning district will be appropriate on the subject property and compatible with adjacent properties and the neighborhood; and

As proposed, in-fill development for single family homes and twin homes are allowed within the proposed zoning district and are compatible with the surrounding single-family homes to the west and south as well as the commercial uses to the east.

(b) The proposed amendment does not involve spot zoning. **The R-2 Zoning District is compatible with the Land Use Plan designation as Low-Density Residential Development and would not be considered spot zoning. Additionally, the R-2 Zoning District would transition the higher more intense business uses to the east as development moves west to the R-1 Mixed Single-Family Zoning District.**

2) In addition to the requirements in Section 60.500.040E.4.a.1), the amendment must satisfy at least one of the following criteria:

(a) The area, as presently zoned, is inconsistent with the policies and goals of the Comprehensive Plan;

(b) The area was originally zoned erroneously due to a technical or administrative error;

(c) While both the present and proposed zoning districts are consistent with the Comprehensive Plan, the proposed district better aligns with the policies and goals of the Comprehensive Plan or other adopted City plans or policies, as determined by City Council;

(d) The area has changed or is changing to such a degree that it is in the public interest to rezone to encourage development or redevelopment of the area consistent with the policies and goals of the Comprehensive Plan; or

The area is changing with new commercial uses being constructed, new apartments going in, a proposed City bus stop, and other residential developments surrounding this development. Thus, it is in the public interest, fiscally responsible and environmentally sustainable to rezone this property and encourage infill development of an area that has existing infrastructure already in place. It also creates a buffer between higher more intense commercial uses and lower less intense residential uses.

(e) The area includes lands identified as Decorah Edge and the amendment would provide for beneficial development that maintains typical urban density while preserving habitat and protecting processes that maintain groundwater quality and quantity.

(f) The area includes lands identified on adopted City plans as an important natural or historic resource, and the amendment would provide for beneficial development that would protect those resources.

Sincerely,

Logan Tjossem, AICP
Principal Planner

Agency Review Comments

Application No: CD2023-007ZC

8/16/2023 **County Environmental Resources**

8/2/2023 **County Public Works**

8/11/2023 **LGU**

A wetland delineation has been completed and approved - R2023-006WET. A Wetland No-Loss is anticipated to complete the process for the plat.

8/10/2023 **Public Works Review**

See attached comment in Accela software.

Cooper, Maribeth

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Thursday, August 3, 2023 9:44 AM
To: Community Development Department
Cc: Schnell, Tracy (DOT); Wayne, Kurt (He/Him/His) (DOT)
Subject: Development Application CD2023-007ZC

[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: CD2023-007ZC
- Description: Zone Change #CD2023-007ZC, by Farmland LLC, to change the Zoning District designation of an approximate 11 acres of a 28-acre site from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot). The site is located west of US Hwy 52, south of 65th St NW, and east of the Orchard Ridge Subdivision.

Thanks,

Tracy Schnell

Senior Planner | District 6

Minnesota Department of Transportation

2900 48th Street NW
Rochester, MN 55901

C: 507-259-3852

mndot.gov/



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

FROM: Mark E. Baker

RE: Farmland LLC Zone Change
(PIN 87499)

DATE: 8/10/23

Rochester Public Works has reviewed the application CD2023-008ZC by Farmland, LLC to change the designation of 74 acres of land from R-1 (Mixed Single-Family) to R-2 (Single-Family Small Lot). The following are Public Works' comments for this application:

1. There is adequate sanitary sewer capacity to support the increase in density allowed by this zone change.
2. There is a newer TIR wavier that was approved on August 3, 2023, for this property/application. The TIR determination that is included in the review packet for this application is from April 2023.

Sent to Planning Department via Accela only.