



**Planning & Zoning Commission Agenda
Rochester Boards & Commissions - Planning & Zoning Commission
September 13, 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: 249 658 902#
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 23, 2023

Accepting the minutes and video of the August 23, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

5. Reports and Recommendations

5.A. Annual Rural Service District Review

Recommending Council approve the Community Development proposed changes to the Rural Service District by removing five parcels that no longer meet the required criteria.

6. Public Hearings

6.A. Annexation Petition No. CD2023-005ANX by Meier Companies (The Blossom)

Forwarding a recommendation of Approval to the Council, approving an Annexation by Ordinance for Application No. CD2023-005ANX, by Meier Companies, to incorporate a 5.13-acre site and change the zoning designation to Medium Density Residential (R-3), located south of 65th St NW and west of 37th Ave NW.

6.B. Zone Change CD2023-008ZC by the City of Rochester

Forwarding a recommendation to Council approving City Initiated Zone Change No. CD2023-008ZC for the rezoning of parcels throughout the City where the underlying land use is not consistent with the zoning, where the rezoning to MX-T will further the goals of the comprehensive plan, and where the rezoning to R-2X will further the goals of the comprehensive plan as well as reinforce equity through zoning.

7. Other Business

8. Adjournment



REQUEST FOR ACTION

Minutes of August 23, 2023

MEETING DATE:
September 13, 2023

ORIGINATING DEPT:
Community Development

AGENDA SECTION:
Consent Agenda

PRESENTER:
Chair

Action Requested:

Accepting the minutes and video of the August 23, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

Report Narrative:

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

Prepared By:

Maribeth Cooper

Attachments:

[Minutes - August 23, 2023](#)



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

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

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

- 3) [Order of Agenda](#)

Motion to approve the Order of Agenda.

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

- 4) [Consent Agenda](#)

4.A) Minutes of August 9, 2023

Official Act: Accepting the minutes and video of the August 9, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

[Cover Page](#)

[Minutes - August 9, 2023](#) 

Motion to approve the minutes and video of the August 9, 2023, Planning and Zoning meeting as the official record of the Planning and Zoning Commission.

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

5) **Reports and Recommendations**

5.A) [Major Land Subdivision No. CD2023-009PLAT by Pine South West, to be known as Ponderosa Pine](#)

Official Act: 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.

[Cover Page](#) 

[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](#) 

Elliot Mohler presented the staff report.
Bill Tointon, WSE Consulting, spoke representing the Applicant.

Motion to forward a recommendation of approval with conditions for Major Land Subdivision CD2023-009PLAT with the findings and support outlined in the Community Development Memo as dated August 23, 2023.

MOVER: Alissa T Moe
SECONDER: Aaron D Eberhart
AYES: Randy R Schubring, Alissa T Moe, Aaron D Eberhart, Joanne Crawford, Jeremy C Andrist
ABSENT:

Margaret R Brimijoin, Ruchi Gupta, Robert A Cline,
Jonathon P Krull

RESULT: APPROVED [UNANIMOUS]


[REVISED Parks Department Memo](#) 


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

Official Act: 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.

[Cover Page](#) 


[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](#) 

Elliot Mohler presented the staff report.

Mark Welch, G-Cubed Engineering, spoke representing the Applicant.

Motion to forward a recommendation of approval with conditions for Major Land Subdivision CD2023-011PLAT with the findings and support outlined in the Community Development Memo as dated August 23, 2023.

MOVER: Aaron D Eberhart

SECONDER: Joanne Crawford

AYES: Randy R Schubring, Alissa T Moe, Aaron D Eberhart,
Joanne Crawford, Jeremy C Andrist

ABSENT: Margaret R Brimijoin, Ruchi Gupta, Robert A Cline,
Jonathon P Krull

RESULT: APPROVED [UNANIMOUS]

[REVISED Parks Department Memo](#) 


6) **Public Hearings**


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

Official Act: Forwarding a recommendation to Council approving Zoning **6**

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).

[Cover Page](#) 

[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](#) 

Elliot Mohler presented the staff report.

Mark Baker, Public Works, answered Commissioner question regarding a street location.

Logan Tjossem, Widseth, spoke representing the Applicant.

The Public Hearing was opened. Having no persons wishing to speak, the public hearing was closed.

Motion to forward a recommendation of approval for Zoning Map Amendment CD2023-007ZC with the findings and support outlined in the Community Development Memo as dated August 23, 2023.

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

7) [Other Business](#)

Mark Baker, Land Development Manager for Public Works, gave an overview of a Land Development Application process and the role of Public Works within that process.

A conversation ensued between the Commissioners and Staff.

[Public Works Presentation](#) 

Ed Caples presented an overview of the Zoning Map Update.

[Zoning Map Update Presentation](#) 

Desmond McGeough gave the City Council Recap.

8) **Adjournment**

Motion to adjourn.

MOVER: Jeremy C Andrist

SECONDER: Aaron D Eberhart

AYES: Randy R Schubring, Alissa T Moe, Aaron D Eberhart,
Joanne Crawford, Jeremy C Andrist

ABSENT: Margaret R Brimijoin, Ruchi Gupta, Robert A Cline,
Jonathon P Krull

RESULT: **APPROVED [UNANIMOUS]**



REQUEST FOR ACTION

Annual Rural Service District Review

MEETING DATE:

September 13, 2023

ORIGINATING DEPT:

Community Development

AGENDA SECTION:

Reports and Recommendations

PRESENTER:

Jase Pater

Action Requested:

Recommending Council approve the Community Development proposed changes to the Rural Service District by removing five parcels that no longer meet the required criteria.

Report Narrative:

In 1966, the City passed an ordinance requiring an annual review of the Rural Service Property Tax District (No.1466). Parcels within the Rural Service District are taxed at a 30% reduced rate, compared to parcels in the Urban Service District.

The Rural Service District includes all parcels within the City that are 1) rural, in character; 2) not developed for commercial, industrial, or urban residential purposes; 3) over five acres in size; and 4) unused, or used for agricultural, forest, recreational, nursery, or quarrying purposes.

Every parcel of land that has remained within the Rural Service District for a period of five years without development shall be given special consideration for transfer to the Urban Service District and shall be so transferred if the Council determines that adjacent areas are substantially developed a no plausible reason exists as to why the parcel in question has not developed.

Priorities & Foundational Principles:

Fiscal Responsibility & Sustainability

Policy Considerations & DEI Impact:

Properties classified as Rural Service District do not make use of many of the municipal services and pay a 70% reduced municipal tax rate.

Prior Legislative Actions & Community Engagement:

1966: Ordinance No. 1466 approved by Council.

Updates to the Rural Service District occur annually.

Fiscal & Resource Impact:

Properties classified as Rural Service Districts do not make use of many of the municipal services and pay a 70% reduced municipal tax rate.

Alternative Action(s):

No alternative action is recommended at this time.

Prepared By:

Jase Pater

Attachments:

[Community Development Memo - Rural Service District](#)

[Rural Service District Parcels Payable 2024 - Rural Service District](#)

[Parcels To Be Removed List - Rural Service District](#)

[List "A" Site Location Map - Rural Service District](#)

[List "B" Site Location Map - Rural Service District](#)

[List "C" Site Location Map - Rural Service District](#)

TO: City Planning and Zoning Commission
FROM: Community Development Team
DATE: September 13, 2023
RE: Annual Review of the Rural Service District (RSD) Parcels

The Rochester Code of Ordinances (#1466) requires an annual review of the Urban and Rural Service property tax districts within the City of Rochester. The City Planning and Zoning Commission conducts this review and recommends to the Common Council any changes that may be necessary. The required hearing on the RSD is scheduled for **October 2, 2023** before the City Council.

Properties classified as a Rural Service District are largely undeveloped and do not make use of many of the municipal services; therefore, rural service properties pay a reduced municipal tax rate. To qualify for a RSD classification, a property must fulfill four criteria:

1. be rural in character;
2. not be developed for commercial, industrial, or urban residential purposes;
3. be part of a consolidated area over five (5) acres in size; and
4. be either unused, or used for agricultural, forest, recreational, nursery, or quarrying purposes.

Every parcel of land that has remained on the Rural Service District for a period of five years without development shall be reviewed for consideration to transfer to the Urban Service Area. The parcel shall transfer if the Common Council determines that adjacent areas are substantially developed and no plausible reason exists as to why the parcel in question has not developed.

Ordinance No. 1635 states that the Common Council may determine that certain platted pieces of land may remain eligible for RSD status. The Council must determine that these properties are still rural in character and not developed for urban residential, commercial, or industrial purposes.

Deletions from the RSD

List "A" includes parcels of land which are owned by the public but no longer qualify for a RSD classification, as of the date of this report. The parcels are developed for commercial, industrial, or urban residential purposes. These lands should be removed from the RSD.

List "B" includes parcels of land which are owned by the public but no longer qualify for a RSD classification, as of the date of this report. The parcels are less than five acres. These lands should be removed from the RSD.

List "C" includes parcels of land which are owned by the public but no longer qualify for a RSD classification, as of the date of this report. The parcels are adjacent to areas substantially developed and no plausible reason exists as to why the parcel in question has not developed. These lands should be removed from the RSD.

Attachments

1. Rural Service District Parcels Payable 2024
2. Parcels To Be Removed List
3. List "A" Site Location Map
4. List "B" Site Location Map
5. List "C" Site Location Map



RURAL SERVICE PARCELS - PAY 2024

Removal
Criteria

- Developed for commercial, industrial, or urban residential
- Less than 5 acres
- Public lands/parcel no longer exists
- Platted
- Adjacent areas are substantially developed

Rural Service District: 2302

PARID	OWNER	SITE ADDRESS	ACRES	SUBDIV	CLASS	LAND	BLDG
540312045295	KOLLING TRUSTEE,AARON		43.40	CITY LANDS 105-14-03	2b AG RURAL VACANT LAND	\$ 344,200	\$ 0
540313045296	KOLLING TRUSTEE,AARON R		79.90	CITY LANDS 105-14-03	2a AGRICULTURAL	\$ 695,300	\$ 0
540341045297	LYNAUGH,PATRICIA J	6993 11 AVE SW	79.00	CITY LANDS 105-14-03	2a AGRICULTURAL	\$ 904,200	\$ 19,600
540331045301	MGK LLC		80.00	CITY LANDS 105-14-03	2a AGRICULTURAL	\$ 522,900	\$ 0
541012045302	MURRAY TRUSTEE,WAYNE		20.00	CITY LANDS 105-14-10	2a AGRICULTURAL	\$ 280,500	\$ 0
540342045299	MURRAY TRUSTEE,WAYNE		40.00	CITY LANDS 105-14-03	2a AGRICULTURAL	\$ 416,200	\$ 0
540342045300	NIGON TRUSTEE,LARRY		40.00	CITY LANDS 105-14-03	2a AGRICULTURAL	\$ 322,300	\$ 0
541012045303	NIGON TRUSTEE,LARRY		10.00	CITY LANDS 105-14-10	2a AGRICULTURAL	\$ 146,300	\$ 0

Rural Service District: 2304

PARID	OWNER	SITE ADDRESS	ACRES	SUBDIV	CLASS	LAND	BLDG
741844086696	ACRE VERDE LLC		112.45	CITY LANDS 107-14-18	2a AGRICULTURAL	\$ 1,667,600	\$ 0
741913078343	ACRE VERDE LLC		33.93	CITY LANDS 107-14-19	2a AGRICULTURAL	\$ 494,000	\$ 0
741911078908	ACRE VERDE LLC		113.60	CITY LANDS 107-14-19	2a AGRICULTURAL	\$ 1,625,000	\$ 0
741841078287	ACRE VERDE LLC		14.50	CITY LANDS 107-14-18	2a AGRICULTURAL	\$ 217,500	\$ 0
741833031053	ACRE VERDE LLC		75.92	CITY LANDS 107-14-18	2a AGRICULTURAL	\$ 1,123,800	\$ 0
630643074026	ARNETT ENTERPRISES LLC		20.73	CITY LANDS 106-13-06	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 248,800	\$ 0
642613081592	B&F PROPERTIES LLC		6.47	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 1,127,400	\$ 0
642624056230	B&F PROPERTIES LLC		13.85	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 1,810,200	\$ 0
640332046705	BAIHLY WOODS PRES ASSOC		10.20	CITY LANDS 106-14-03	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 25,500	\$ 0
642624087364	BONNIE VISTA PROPERTIES LLC LLC		0.00	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 100	\$ 0
642612087357	BONNIE VISTA PROPERTIES LLC LLC		1.79	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 233,900	\$ 0
642624056228	BONNIE VISTA PROPERTIES LLC LLC		55.50	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 2,343,000	\$ 0
642621087359	BONNIE VISTA PROPERTIES LLC LLC		25.07	CITY LANDS 106-14-26	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 417,300	\$ 0
740421078565	BOSSHARD,MACKENZIE B		16.06	CITY LANDS 107-14-04	2a AGRICULTURAL	\$ 401,500	\$ 0
740421078563	BOSSHARD,MACKENZIE B		31.46	CITY LANDS 107-14-04	2a AGRICULTURAL	\$ 786,500	\$ 0
631722036379	BOSSHART,DANIEL J	3202 20 ST SE	11.21	AUDITOR'S PLAT E	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 72,900	\$ 0
731834086567	BUNNE LAND DEVELOPMENT LLC		37.50	CITY LANDS 107-13-18	2a AGRICULTURAL	\$ 750,000	\$ 0
731913086034	CASSIDY FARMS LLC		42.77	CITY LANDS 107-13-19	2b RES RURAL VACANT LAND	\$ 641,600	\$ 0
731913086035	CF DEVELOPMENT LLC		33.10	CITY LANDS 107-13-19	2b RES RURAL VACANT LAND	\$ 595,800	\$ 0
630844087026	CREEKVIEW MEADOWS LLC		34.25	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 171,300	\$ 0
630843086962	CREEKVIEW MEADOWS LLC		13.09	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 157,100	\$ 0
751311085398	DEWITZ,CHARLES		34.91	CITY LANDS 107-15-13	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 628,400	\$ 4,500
741341074255	DODGE TRUSTEE,STANLEY J		58.29	CITY LANDS 107-14-13	2a AGRICULTURAL	\$ 1,090,800	\$ 0
630812076585	EASTWOOD LLC		24.85	CITY LANDS 106-13-08	2a AGRICULTURAL	\$ 211,200	\$ 0
630814076583	EASTWOOD LLC		107.28	CITY LANDS 106-13-08	2a AGRICULTURAL	\$ 945,200	\$ 0
641424051695	GAU,NICHOLAS J	702 23 ST SW	9.48	CITY LANDS 106-14-14	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 140,000	\$ 443,100
643444065582	GLUEK TRUSTEE,JUDITH R		16.25	CITY LANDS 106-14-34	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 162,500	\$ 0
643434042123	HANSON & YOUNGE LLC		19.70	CITY LANDS 106-14-34	2a AGRICULTURAL	\$ 236,400	\$ 0
643433045478	HANSON & YOUNGE LLC		32.81	CITY LANDS 106-14-34	2a AGRICULTURAL	\$ 393,700	\$ 0
643432045390	HANSON & YOUNGE LLC		22.72	CITY LANDS 106-14-34	2b RES RURAL VACANT LAND	\$ 272,600	\$ 0
643513045398	HERRING TRUSTEE,MARY K		6.83	CITY LANDS 106-14-35	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 34,200	\$ 0
643512076511	HERRING TRUSTEE,MARY K		35.73	CITY LANDS 106-14-35	2b RES RURAL VACANT LAND	\$ 536,000	\$ 0

643511071918	HERRING TRUSTEE,MARY K		5.30	CITY LANDS 106-14-35	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 79,500	\$ 0
741913054349	HEWLETT JR,KEITH M	5371 VALLEYHIGH RD NW	5.00	CITY LANDS 107-14-19	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 100,000	\$ 444,600
742421083166	HI-FI PROPERTIES I LLC		5.09	CITY LANDS 107-14-24	3a INDUSTRIAL PREFERENTIAL	\$ 40,700	\$ 0
630834035600	HKH LLC		5.31	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 26,600	\$ 0
631722036381	HKH LLC		14.32	AUDITOR'S PLAT E	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 65,200	\$ 0
630831035599	HKH LLC		40.17	CITY LANDS 106-13-08	2b RES RURAL VACANT LAND	\$ 252,700	\$ 0
740731078702	JOEL BIGELOW AND SONS ENTERPRISE INC		47.52	CITY LANDS 107-14-07	2a AGRICULTURAL	\$ 1,188,000	\$ 0
740733071682	JOEL BIGELOW AND SONS ENTERPRISE INC		12.49	CITY LANDS 107-14-07	2a AGRICULTURAL	\$ 230,000	\$ 0
643543045412	K & B THATCHER PROPERTIES LLC	5815 HWY 63 S	12.80	CITY LANDS 106-14-35	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 135,000	\$ 218,000
643521073090	KASTLER,MARILYN L		9.13	CITY LANDS 106-14-35	2b RURAL PRESERVE	\$ 137,000	\$ 0
643531045414	KASTLER,MARILYN L		6.80	CITY LANDS 106-14-35	2b RURAL PRESERVE	\$ 102,000	\$ 0
643524045399	KASTLER,MARILYN L		40.00	CITY LANDS 106-14-35	2a AGRICULTURAL	\$ 585,000	\$ 0
643534048839	KIM,INYONG		23.60	CITY LANDS 106-14-35	2a AGRICULTURAL	\$ 353,300	\$ 0
742032073017	KUEHL LLC		10.00	CITY LANDS 107-14-20	2a ACTIVELY FARMING	\$ 150,000	\$ 0
630833035608	LAMPMAN TRUST,SHERRY		33.75	CITY LANDS 106-13-08	2b RES RURAL VACANT LAND	\$ 270,000	\$ 0
631714035874	LANGE,JERRY	3811 25 ST SE	25.82	CITY LANDS 106-13-17	2b RES RURAL VACANT LAND	\$ 152,100	\$ 0
642412068420	LEITZEN,MARK		36.00	CITY LANDS 106-14-24	2a AGRICULTURAL	\$ 602,700	\$ 0
642411068419	LEITZEN,MARK J		19.00	CITY LANDS 106-14-24	2a AGRICULTURAL	\$ 226,000	\$ 17,700
741344075798	MAJESTIC HOMES INC		8.10	CITY LANDS 107-14-13	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 202,500	\$ 0
742412078902	MAJESTIC HOMES INC		8.67	CITY LANDS 107-14-24	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 130,100	\$ 0
631743054198	MARION ROAD CONCERNED CITIZENS		7.04	CITY LANDS 106-13-17	2b RES RURAL VACANT LAND	\$ 14,100	\$ 0
643543045405	MATHY CONSTRUCTION CO		5.00	CITY LANDS 106-14-35	3a INDUSTRIAL NON PREFERENTIAL	\$ 15,400	\$ 0
540212045289	MATHY CONSTRUCTION CO	5850 HWY 63 S	39.08	CITY LANDS 105-14-02	3a INDUSTRIAL PREFERENTIAL	\$ 238,900	\$ 17,700
643543045407	MATHY CONSTRUCTION CO		14.16	CITY LANDS 106-14-35	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 34,000	\$ 0
630841087365	MATTISON,GARY		10.14	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 45,600	\$ 0
630844087366	MATTISON,GARY		14.86	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 66,900	\$ 0
630841035604	MATTISON,GARY L		10.70	CITY LANDS 106-13-08	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 58,800	\$ 0
640933079396	MAYWOOD LANDS LLC		45.14	CITY LANDS 106-14-09	2a AGRICULTURAL	\$ 512,700	\$ 0
640934075944	MAYWOOD LANDS LLC		44.00	CITY LANDS 106-14-09	2a AGRICULTURAL	\$ 660,000	\$ 0
742412078903	MORRIS HILLS LAND DEVELOPMENT		5.06	CITY LANDS 107-14-24	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 75,900	\$ 0
643534045418	MURRAY TRUSTEE,BLAKE C	721 60 ST SW	13.26	CITY LANDS 106-14-35	2a AGRICULTURAL	\$ 204,900	\$ 193,600
742411078513	MURRAY,JEAN ELIZABETH		10.27	CITY LANDS 107-14-24	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 154,100	\$ 0
630832050934	NELSON TRUST,MARGARET L		34.55	CITY LANDS 106-13-08	2b RES RURAL VACANT LAND	\$ 224,600	\$ 0
642621087358	NORTH AMERICAN REALTY LLC		37.21	CITY LANDS 106-14-26	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 619,300	\$ 0
631911070965	OSTROM,GENE W		31.15	CITY LANDS 106-13-19	2a AGRICULTURAL	\$ 560,700	\$ 0
643532045415	OWENS TRUSTEE,POLLY MATTSON	5700 11 AVE SW	87.20	CITY LANDS 106-14-35	2a AGRICULTURAL	\$ 1,296,600	\$ 266,400
640842041695	PHOENIX FARM I LLC		11.51	CITY LANDS 106-14-08	2a AGRICULTURAL	\$ 121,800	\$ 0
641042025885	PICKETT PARK AND LAKES LLC		16.16	CITY LANDS 106-14-10	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 5,000	\$ 0
641043051696	PICKETT PARK AND LAKES LLC		9.37	CITY LANDS 106-14-10	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 3,000	\$ 0
641031025888	PICKETT PARK AND LAKES LLC		9.54	CITY LANDS 106-14-10	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 3,600	\$ 0
631813075976	QUINSTAR LIMITED PARTNERSHIP		7.57	CITY LANDS 106-13-18	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 123,700	\$ 0
631812035916	QUINSTAR LIMITED PARTNERSHIP		5.45	CITY LANDS 106-13-18	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 100,000	\$ 0
631821075975	QUINSTAR LIMITED PARTNERSHIP		50.14	CITY LANDS 106-13-18	2b RES RURAL VACANT LAND	\$ 401,100	\$ 0
640841079639	REFLECTIONS ON MAYO LAKE COMMUNITY ASSOC		44.85	REFLECTIONS ON MAYO LAKE	5e RESIDENTIAL COMMON AREA	\$ 0	\$ 0

642323026032	RIVER BEND DEVELOPMENT LLC		40.00	CITY LANDS 106-14-23	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 200,000	\$ 0
732932085803	RIVER BEND DEVELOPMENT LLC		9.96	CITY LANDS 107-13-29	2b RES RURAL VACANT LAND	\$ 199,200	\$ 0
642313078179	RIVER BEND DEVELOPMENT LLC		15.61	CITY LANDS 106-14-23	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 78,100	\$ 0
642324047006	RIVER BEND DEVELOPMENT LLC		39.08	CITY LANDS 106-14-23	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 195,400	\$ 0
640542041611	RIVER TRAILS GIRL SCOUT		6.00	CITY LANDS 106-14-05	5e CHARITABLE INSTITUTION	\$ 75,000	\$ 0
640542076177	RIVER TRAILS GIRL SCOUT		66.04	CITY LANDS 106-14-05	5e CHARITABLE INSTITUTION	\$ 412,800	\$ 36,700
642433081604	ROCHESTER TOPSOIL INC		51.23	CITY LANDS 106-14-24	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 62,000	\$ 0
631742080001	ROUHOFF TRUSTEE,RICHARD A	3591 PINWOOD RD SE	50.00	CITY LANDS 106-13-17	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 260,000	\$ 294,200
643533079688	RUSSELL,JOHANNA C	5900 11 AVE SW	14.08	CITY LANDS 106-14-35	2a AGRICULTURAL	\$ 220,200	\$ 260,100
643443045388	SANDER,PAMELA A		5.16	CITY LANDS 106-14-34	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 25,800	\$ 0
630842085682	SAWYER TRUSTEE,STEVEN T		26.73	CITY LANDS 106-13-08	2b RES RURAL VACANT LAND	\$ 213,800	\$ 0
641411057789	SENECA FOODS CORPORATION		12.22	CITY LANDS 106-14-14	3a INDUSTRIAL PREFERENTIAL	\$ 532,300	\$ 0
630712069351	SMITH,LATHAM		90.00	CITY LANDS 106-13-07	2a AGRICULTURAL	\$ 1,080,000	\$ 0
643412045373	SPUR CREEK LLC		56.38	CITY LANDS 106-14-34	4c(2) QUALIFY GOLF COURSES	\$ 331,500	\$ 0
731932055886	TABATABAI,ABBAS		6.42	CITY LANDS 107-13-19	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 31,000	\$ 0
631814035933	V J FOUR SEASONS MAINTENANCE LLC		18.00	CITY LANDS 106-13-18	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 97,000	\$ 0
631713035875	VA,SILDANE		5.58	CITY LANDS 106-13-17	2b RES RURAL VACANT LAND	\$ 55,800	\$ 0
643441077054	VAN ESS TRUSTEE,MICHELLE A VAN		21.41	CITY LANDS 106-14-34	2a AGRICULTURAL	\$ 256,900	\$ 0
643533048838	VRIEZE,PAUL A		6.00	CITY LANDS 106-14-35	1a/4bb(1) RESIDENTIAL SINGLE UNIT	\$ 20,000	\$ 0
741941084952	WEST 80 PARTNERS LLC		39.43	VALLEYHIGH BUSINESS PARK	2a AGRICULTURAL	\$ 524,500	\$ 0
743331054974	WESTERN WALLS INC		16.76	CITY LANDS 107-14-33	4b(4) UNIMPROVED RESIDENTIAL LAND	\$ 4,700	\$ 0
642624087363	WILLOW CREEK COMMONS LLC		11.84	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 1,547,300	\$ 0
642612087356	WILLOW CREEK COMMONS LLC		7.18	CITY LANDS 106-14-26	2b RES RURAL VACANT LAND	\$ 938,300	\$ 0
643311086391	YH DEE LLC		12.56	CITY LANDS 106-14-33	2a AGRICULTURAL	\$ 150,700	\$ 0
Rural Service District: 2306							
PARID	OWNER	SITE ADDRESS	ACRES	SUBDIV	CLASS	LAND	BLDG
741923079911	ACRE VERDE LLC		27.10	CITY LANDS 107-14-19	2a AGRICULTURAL	\$ 406,500	\$ 4,000
741924031060	ACRE VERDE LLC		25.40	CITY LANDS 107-14-19	2a AGRICULTURAL	\$ 322,200	\$ 0
741922073945	ACRE VERDE LLC		66.08	CITY LANDS 107-14-19	2a AGRICULTURAL	\$ 817,300	\$ 0

**LIST “A” – PARCELS TO BE REMOVED FROM RSD LIST
PARCEL DEVELOPED FOR COMMERCIAL, INDUSTRIAL,
OR URBAN RESIDENTIAL PURPOSES**

<i>PIN #</i>	<i>OWNER</i>
641411057789	SENECA FOODS CORPORATION

**LIST “B” – PARCELS TO BE REMOVED FROM RSD LIST
PARCEL LESS THAN FIVE ACRES**

<i>PIN #</i>	<i>OWNER</i>
642624087364	BONNIE VISTA PROPERTIES LLC LLC
642612087357	BONNIE VISTA PROPERTIES LLC LLC

**LIST “C” – PARCELS TO BE REMOVED FROM RSD LIST
ADJACENT AREAS ARE SUBSTANTIALLY DEVELOPED**

<i>PIN #</i>	<i>OWNER</i>
641424051695	GAU,NICHOLAS J
731932055886	TABATABAI,ABBAS

Seneca Foods Corporation - PIN 057789

9/6/2023

Olmsted County Geographic Information Systems



PINs_ Query result

Manufactured Home

• Site Address

Private Road Parcel

• Sub Address

ROW Fee Parcel

Building Unit

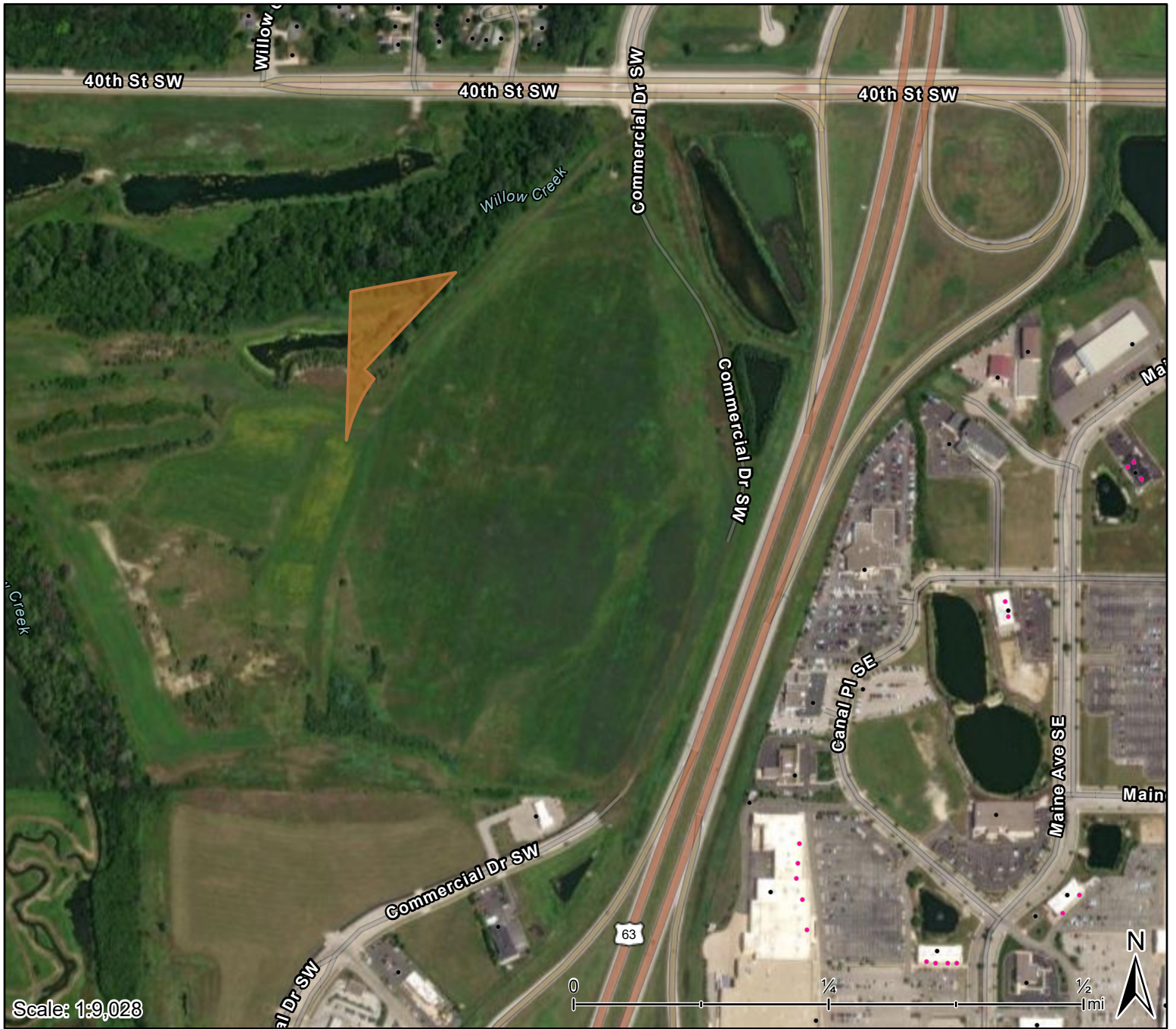
Land Parcel



Bonnie Vista Properties, LLC PINS 087364 & 08357

9/6/2023

Olmsted County Geographic Information Systems



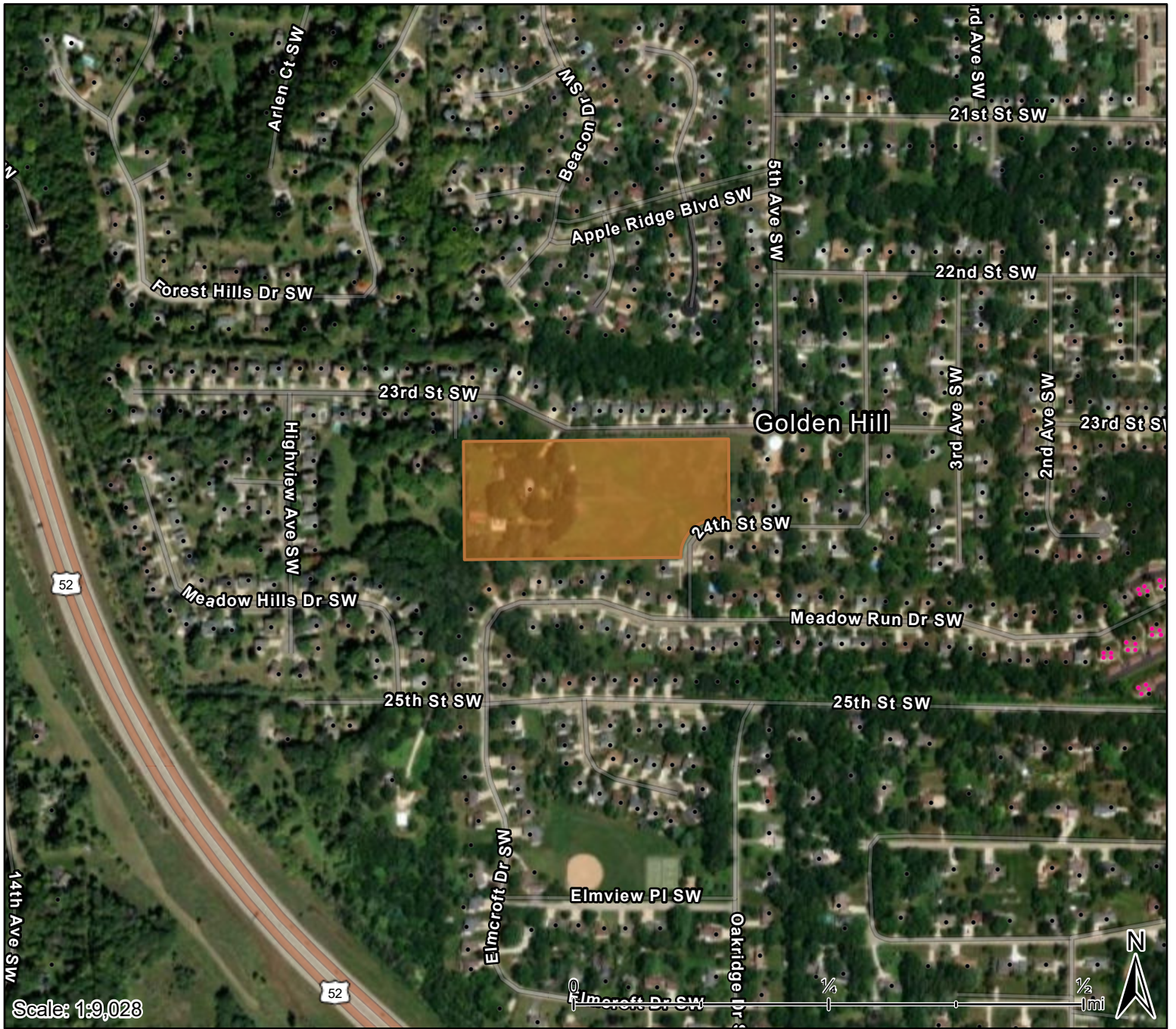
- | | |
|---|---|
|  PINs_ Query result |  Manufactured Home |
|  Site Address |  Private Road Parcel |
|  Sub Address |  ROW Fee Parcel |
|  Building Unit |  Land Parcel |



Nicholas Gau- PIN 051695

9/6/2023

Olmsted County Geographic Information Systems



Orange box: PINs_ Query result

Black dot: Site Address
Red dot: Sub Address

Pink box: Building Unit

Pink box: Manufactured Home

Light orange box: Private Road Parcel

Light green box: ROW Fee Parcel

White box: Land Parcel



Abbas Tabatabai - PIN 055886

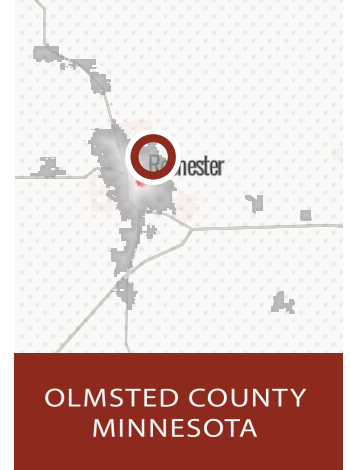
9/6/2023

Olmsted County Geographic Information Systems



Scale: 1:9,028

- PINs_ Query result
- Manufactured Home
- Site Address
- Private Road Parcel
- Sub Address
- ROW Fee Parcel
- Building Unit
- Land Parcel





REQUEST FOR ACTION

Annexation Petition No. CD2023-005ANX by Meier Companies (The Blossom)

MEETING DATE:
September 13, 2023

ORIGINATING DEPT:
Community Development

AGENDA SECTION:
Public Hearings

PRESENTER:
Desmond McGeough

Action Requested:

Forwarding a recommendation of Approval to the Council, approving an Annexation by Ordinance for Application No. CD2023-005ANX, by Meier Companies, to incorporate a 5.13-acre site and change the zoning designation to Medium Density Residential (R-3), located south of 65th St NW and west of 37th Ave NW.

Report Narrative:

The subject site is 5.13 acres, located at the southwest corner of 65th St NW, and 37th Ave NW. The property is currently located outside the City of Rochester Incorporated limits and surrounded by the City on all four sides. The applicant seeks annexation of the subject property and requests a change of zone to the R-3 (medium-density residential) zoning district in conformance with the underlying P2S Comprehensive Plan land use classification of Medium Density Residential (MDR).

On May 15, 2023, the Council approved a Comprehensive Plan Land Use Plan Amendment (CD2023-001CPA) for the subject site. The amendment changed the land use designation of the property from Low-Density Residential (LDR) to Medium-Density Residential (MDR). Medium-density residential use is suitable where a gradual transition from low-density residential use to other higher-intensity use may be desired, and where there is convenient access to public transit, open space and schools, and multimodal transportation opportunities.

The amendment was approved based on several factors, including; the opportunity to provide additional senior housing, the relatively small size of the amendment area, the implementation of the Primary Transit Network (PTN) was not compromised by the proposed use, the change established a transitional use between single-family neighborhoods and higher intensity land use, and several site-specific characteristics making the site favorable for the MDR designation.

The only suitable Unified Development Code (UDC) zoning designation found to be consistent with the MDR classification described in the P2S Comprehensive Plan is R-3 (Medium-Density Residential). This district generally accommodates multi-family housing units such as apartments and condominiums. Other uses, such as townhouses, triplexes, fourplex development, and other subordinate ancillary uses, are also permitted in this district. The developer notes it is their intent to build a market-rate general occupancy or senior (55+) multifamily community, with no greater than 100 units. A development of 100 units will generate a density of 20 units per acre, which is consistent with the comprehensive plan direction for density at the low end of the range.

Priorities & Foundational Principles:

Economic Vibrancy & Growth Management
Fiscal Responsibility & Sustainability

Policy Considerations & DEI Impact:

The Annexation of Land request furthers the goals and policies of the Comprehensive Plan by emphasizing fiscal sustainability.

Prior Legislative Actions & Community Engagement:

May 15, 2023: Council Meeting - Approval of Land Use Plan Amendment (CD2023-001CPA)

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:

Desmond McGeough

Attachments:

[CD Memo - CD2023-005ANX The Blossom](#)

[Notification Map - CD2023-005ANX The Blossom](#)

[Location Map - CD2023-005ANX The Blossom](#)

[Annexation Exhibit - CD2023-005ANX The Blossom](#)

[Narrative - CD2023-005ANX The Blossom](#)

[Review Comments - CD2023-005ANX The Blossom](#)

ROCHESTER PLANNING COMMISSION

September 13, 2023

Prepared by: Rochester Community Development

Request: Annexation request CD2023-005ANX by Meier Companies, to incorporate a 5.13-acre site into the City of Rochester.

Location: The subject site is located south of 65th Street NW and west of 37th Ave NW (PIN #081108)

Owner: Meier Companies, Paul Meier

Consultant: WSE Massey Engineering

COMMISSION AND COUNCIL SUMMARY

Application Type: Annexation

What is Considered: Annexation is the process by which unincorporated lands are brought into a municipal boundary. The municipality annexing must be able to adequately serve the newly added land with city services and infrastructure, such as water and sanitary sewer. Amendments to the boundaries of corporate and extraterritorial limits shall be adopted as provided by Minnesota state statute.

During the review of an Annexation request, both the Planning Commission and City Council must determine whether the request meets those criteria set in the Unified Development Code Section 60.500.040C. These includes compatibility with adjacent land uses, ability for the City to serve the newly annexed properties with city services, and whether the newly annexed land is appropriate for suburban or urban style development.

Site development considerations such as architecture, site layout, building orientation, site landscaping, open space, site parking, screening, and the aesthetic character of the development are not criteria considered in Annexation reviews.

Approval Body: Rochester City Council

Development Review Team Recommendation: Approval

SUMMARY AND BACKGROUND INFORMATION

The subject site is 5.13 acres, located at the southwest corner of 65th Street NW, and 37th Avenue NW. The property is currently located outside the City of Rochester Incorporated limits and surrounded by the City on all four sides. The applicant seek annexation of the subject property and request a change of zone to the R-3 (medium density residential) zoning district in conformance with the underlying P2S Comprehensive Plan land use classification of Medium Density Residential (MDR).

On May 15, 2023, City Council approved a Comprehensive Plan Land Use Plan Amendment (CD2023-001CPA) for the subject site. The amendment changed the land use designation of the property from Low Density Residential (LDR) to Medium Density Residential (MDR). Medium density residential is suitable where a gradual transition from low-density residential use to other higher intensity use may be desired, and where there is convenient access to public transit, open space and schools and multimodal transportation opportunities.

The amendment was approved based on several factors including; the opportunity to provide additional senior housing, the relatively small size of the amendment area, it did not compromise Primary Transit Network implementation, it provided a transitional use between single family and higher intensity uses, and several site characteristics making the site favorable for the MDR designation

The only suitable UDC zoning designation found to be consistent with the MDR classification described in the P2S comprehensive plan is R-3 (Medium Density Residential). This district generally accommodates multi-family housing units such as apartments and condominiums. Other uses such as townhouses, triplexes, fourplex development and other subordinate ancillary uses are permitted in this district. The developer notes it is their intent to build a market rate general occupancy or senior (55+) multifamily community, with no greater than 100 units. A development of 100 units will generate a density of 20 units per acre, which is consistent the comprehensive plan direction for density at the low end of the range.

COMMUNITY DEVELOPMENT REVIEW

Zoning District:	This property is currently zoned A4 Agriculture (Olmsted County)
Adjacent Land:	<p><u>North:</u> Zoned A4 Agriculture (Olmsted County) and is in agricultural production. The subject property is located in “Urban Reserve Development Beyond 2050” Growth Management classification.</p> <p><u>East:</u> Zoned R-3. Subject area is currently undeveloped with 188 unit multi-family apartment project recently approved.</p> <p><u>South:</u> Zoned R-1(Mixed Single Family), having existing single- family homes.</p> <p><u>West:</u> Zoned R-2 (Low Density – Small Lot), having existing single-family homes</p>
Roadway & Access:	It is anticipated that the property will not be permitted to take direct access to 65 th St NW on the north side. Access the property will be from the future extension of 37 th Ave

NW on the east side, Freedom Dr. NW on the west side or perhaps from both public streets. Specific access location will be reviewed at the site plan stage of development.

Public Infrastructure:

Presently, public facilities (Public Roadways, Sanitary Sewer, Water, and Storm Water Management Facilities) exist to service the site. The site is subject to utility connection charge for the existing watermain along the street frontages.

The Sanitary Sewer Collections Team has evaluated the property and determined there is capacity of 68 gpm to connect to sanitary sewer in Freedom Dr NW. The area of the site that will flow to that system will be subject to a Trunk Sewer Rate (TSR) charge for the Kings Run Trunk District. There is also capacity to serve the balance of the property that drains northward toward the Northwest Territories Trunk District. That area would be subject to a TSR charge for the NW Territories district. Development of the area draining north would be dependent on the future extension of NW Territories sewer. It appears that portion of the site that will be developed with housing and in need of sewer infrastructure will drain towards Kings Run District.

Flood Plain Wetlands & Decorah Edge:

There are no wetlands, Decorah Edge or Hydric Soils located on the property. The property is within Flood Zone D, however, there are no known flooding issues with the site. It is possible that development will need to provide flood insurance if it cannot be demonstrated that the site is not in a flood plain.

Emergency Response:

The Rochester Fire Marshal's Office has conducted a review of plans submitted for the proposed annexation of property and supports the application. This subject site falls within a four minute response time of the Rochester Fire Department.

ANNEXATION OF LAND REVIEW

The Planning Commission shall recommend, and City Council may approve an Annexation of Land, if it determines that the following criteria are met (team findings in **BOLD**):

UDC 60.500.040C.4

1. The Annexation of Land is consistent with the adopted Comprehensive Plan regarding areas for future growth and development of the city.

Emphasize Fiscal Sustainability:

Approving the Annexation will not adversely affect the fiscal sustainability of the city. Expansion into the area of the subject property is a logical and efficient use of public infrastructure as it is surrounded on all sides by the City of Rochester. Roadways, sewer, water, electric and gas lines are already immediately adjacent to the property for development of the site.

The adopted Growth Management Map of the P2S Comprehensive Plan designates the property as “Near Term Urban Expansion”. The Urban Expansion Area identifies where infrastructure can most efficiently be provided by the extension of current municipal sanitary sewer and water facilities to accommodate expected demand for edge growth through 2040 and beyond. The “Near term Urban Expansion” area represents lands that are most desirable for annexation by the City and urbanization.

2. The proposed Annexation of Land is able to be served by existing City infrastructure and services, or through future expansions of infrastructure and services included in approved City plans or policies, or the applicant has agreed to pay for required expansion of City infrastructure and services on terms acceptable to the City.

The site can be served with all public utilities. Existing sewer lines in the Kings Run Trunk District has adequately capacity to accommodate development of the site. All necessary infrastructure to facilitate development is near the property line of the subject parcel.

3. The property proposed for the annexation is now or is about to become urban or suburban in character.

This area is urban in character and will be served by City infrastructure. The subject site is currently surrounded on the east, south and west by existing development within the City of Rochester. Along the north side of the site, 65th Street is undergoing a major City of Rochester street reconstruction project. Upon completion, the transportation facility will have added pedestrian paths, bike lanes and a center landscaped median/turn lane along the urban street corridor.

4. The Annexation of Land complies with all applicable provisions of Minnesota state law.

The Annexation of Land complies with all applicable provisions of Minnesota state law. Minnesota State Statute § 414.033 Subd. 12 “Property Taxes” requires that the property taxes associated with annexed land be paid to the township(s) the land is currently located within. Based on correspondence provided to the applicant from the Township Cooperative Planning Association, there are no outstanding debts or assessments on the property. If there are any outstanding tax due for the parcel at completion of the annexation, the amount will be owed to Cascade Township prior to State approval of the municipal boundary adjustment.

ZONE CHANGE 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-3 Medium Density Residential is appropriate for the subject property and are compatible with the surrounding land use. The R-3 district facilitates the development of medium-density housing options that is compatible with adjacent traditional single-family style development. Adopted UDC neighborhood protection standards will ensure that any multi-family structure does not exceed the R-1 zoning district maximum height within 100 feet of that zoning district.

- 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-3 (Medium Density Residential) zoning district is consistent with the underlying Medium-Density Residential land use designation. Based on the above definition, this zone change cannot be classified as a 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;

The subject site is presently zoned A4 Agriculture in Olmsted County, which is inconsistent with the goals, policies and objectives of the Comprehensive Plan for the property. Upon annexation, a City Zoning Designation must be applied to the site. The R-3 zoning designation is both consistent with the Comprehensive Plan and the only zoning designation consistent with the description provided for the Medium Density Residential classification.

- 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
- 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.

STAFF RECOMMENDATION

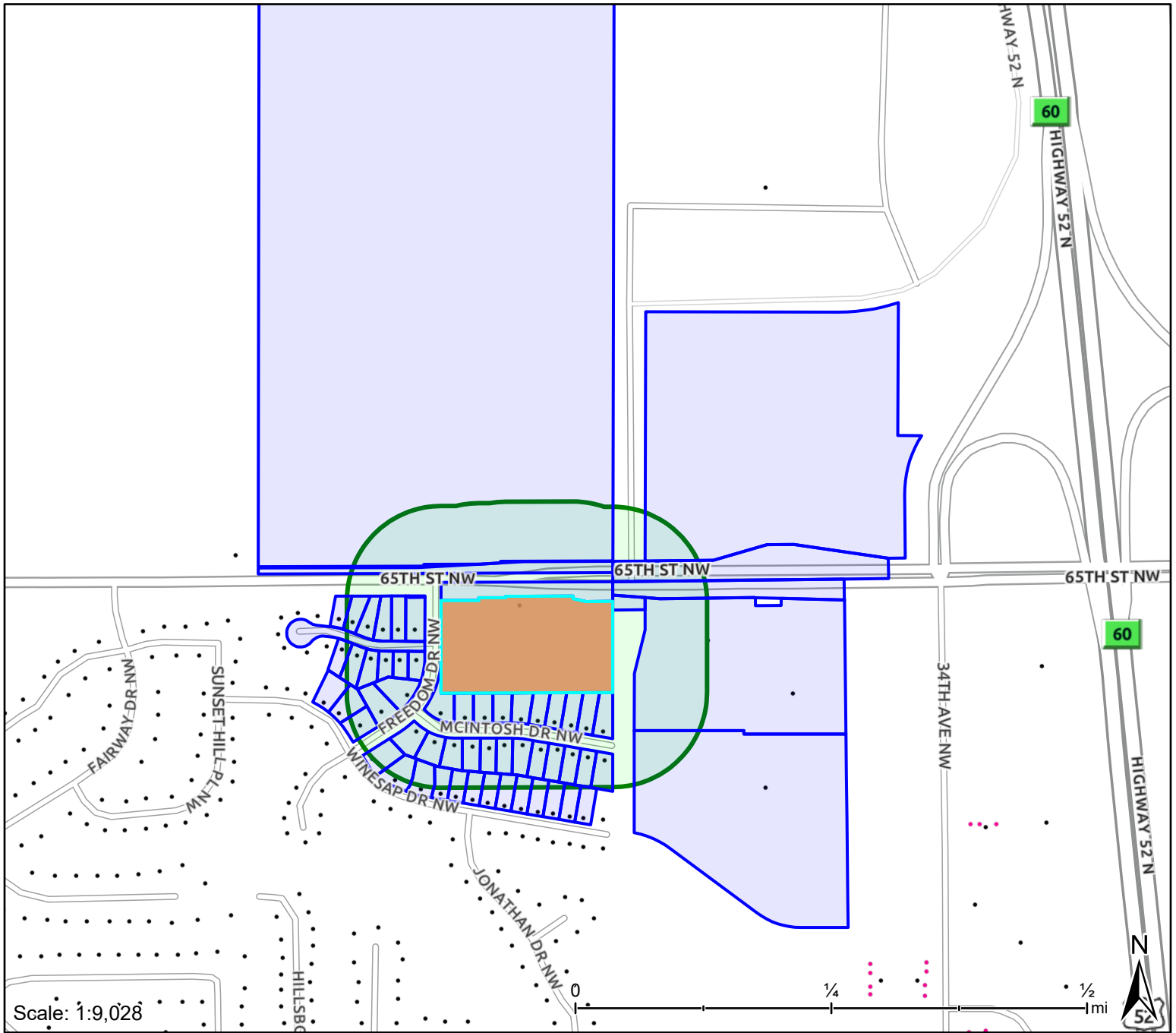
Community Development has reviewed this request in accordance with the P2S Comprehensive Plan and Section 60.500.040C of the Unified Development Code as it pertains to the Annexation of Land and recommends that the Planning Commission forward a recommendation of **approval** to the City Council of the annexation request, with the newly annexed land being zoned with a R-3 (Medium Density Residential) designation.

ATTACHMENTS

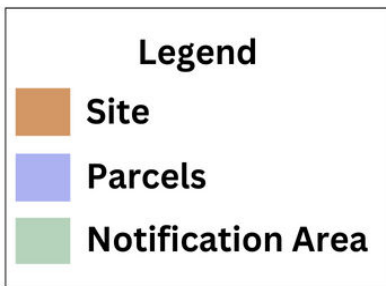
1. Notification Map
2. Site Location Map
3. Annexation of Land Exhibit
4. Applicant Narrative
5. Referral Agency Comments

The Blossom CD2023-005ANX

8/17/2023 Olmsted County Geographic Information Systems



Scale: 1:9,028



350' Notification Area, Ward 3, Northwest Neighbors


Annexation Petition #CD2023-005ANX by Meier Companies, to incorporate a 5.13-acre site into the City of Rochester. The subject annexation is located at the southeast corner of Freedom Way NW and 65th St. NW.

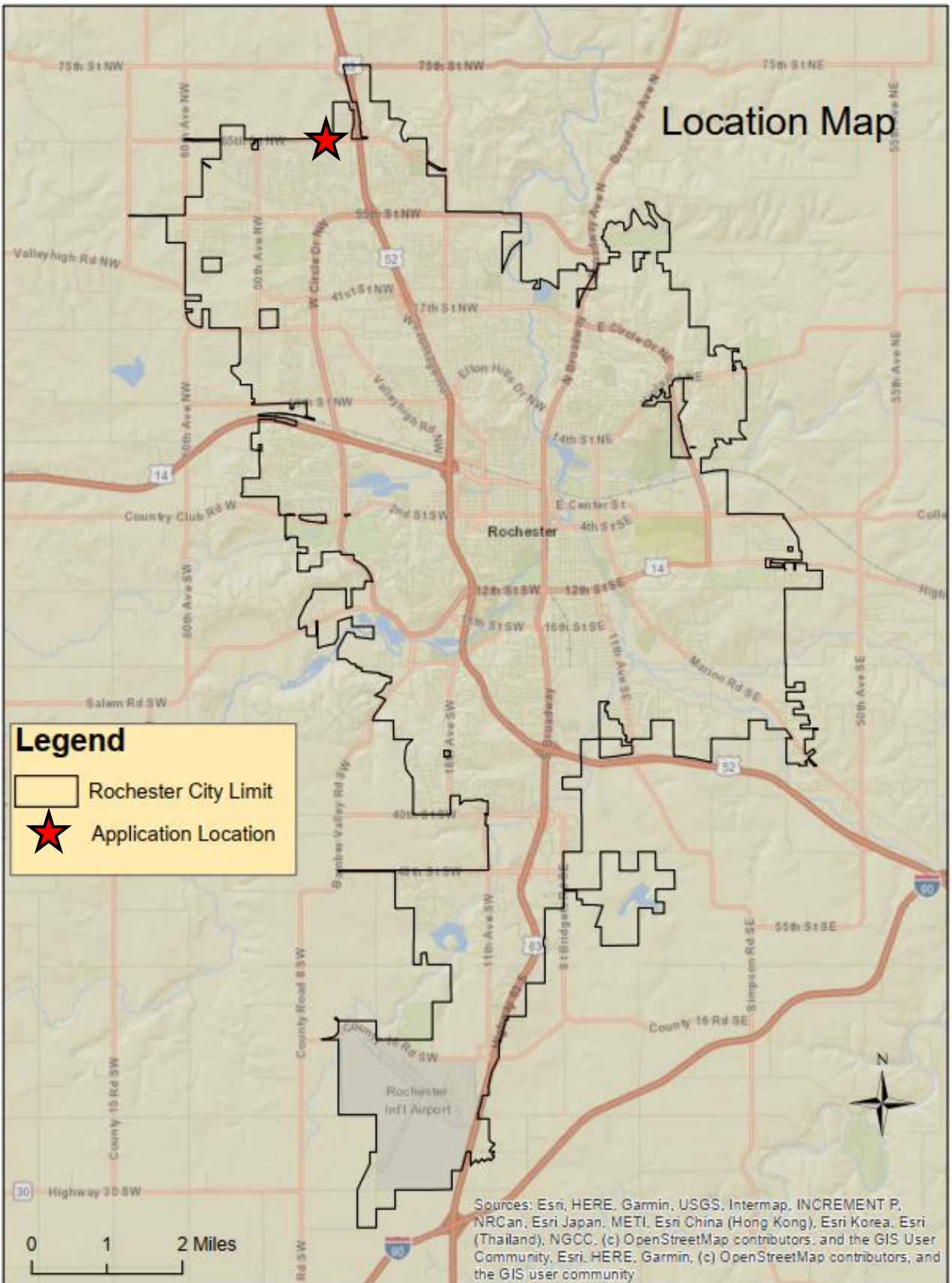


OLMSTED COUNTY
MINNESOTA

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

1" SQUARE PIPE W/CAP
NW COR NE 1/4
SEC. 8-107-14

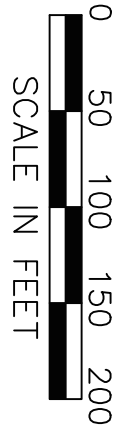
N 89°30'57" E 1995.74
N. LINE NE 1/4 SEC. 8
65TH ST NW

SEGMENT	DIRECTION	LENGTH
L1	S 00°14'33" E	73.00
L2	N 00°14'33" W	68.00
L3	N 00°14'33" W	10.00
L4	N 89°30'57" E	100.00
L5	N 00°14'33" W	10.00
L6	S 00°14'33" E	15.00
L7	S 78°35'08" E	48.50
L8	N 89°30'57" E	100.50

ANNEXATION EXHIBIT AREA
ROCHESTER CITY LIMITS

BASIS OF BEARINGS

All Bearings are in relationship with the Olmsted County Coordinate System NAD '83, Adjusted 1996.



1" SQUARE PIPE W/CAP
NE COR NE 1/4
SEC. 8-107-14

N 89°30'57" E 637.50
65TH ST NW

E. LINE NE 1/4 SEC. 8
N 00°14'33" W 2205.95

FREEDOM DR NW

N 00°14'33" W 342.00

ROCHESTER CITY LIMITS

S 89°30'57" W 637.50

ORCHARD RIDGE TRACT ADDITION
BLOCK 1

MCINTOSH DRIVE NW

±5.13 ACRES

SW COR NORTH 63.00
OF THE EAST 148.00

ANNEXATION EXHIBIT
PART OF THE NE 1/4
SECTION 8, T 107 N, R 14 W
OLMSTED COUNTY, MINNESOTA

THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:
MEIER COMPANIES
ROCHESTER, MN

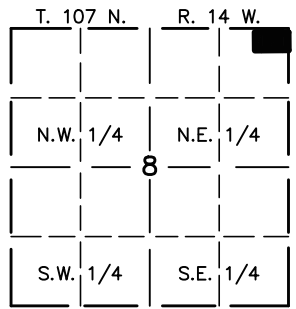
MONUMENTS
● FOUND (AS INDICATED)
○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)

DATE: 7/10/2023
DWG NO. 4020SE02 JOB NO. 4020.1
DRAWN BY: G.D.Z. SHEET 1 OF 31

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

ANNEXATION EXHIBIT

PROPERTY LOCATION MAP



No Scale

ANNEXATION EXHIBIT

PART OF THE NE 1/4

SECTION 8, T 107 N, R 14 W

OLMSTED COUNTY, MINNESOTA

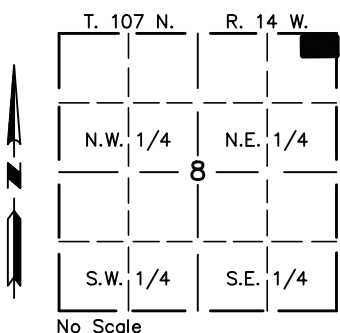
DESCRIPTION OF RECORD (DOC. No. A1576494)

Beginning at the Northeast corner of the Northeast Quarter (NE 1/4) of Section Eight (8), Township One Hundred Seven (107), Range Fourteen (14), thence South 410 feet, thence West 637.5 feet, thence North 410 feet, thence East 637.5 feet, thence West 637.5 feet, thence North 410 feet, thence East 637.5 feet to the point of beginning, Olmsted County, Minnesota;

Less the following described parcels:

1. The North 48.00 feet thereof;
2. The South 10.00 feet of the North 58.00 feet of the West 240.00 feet thereof;
3. The South 10.00 feet of the North 68.00 feet of the West 140.00 feet thereof;
4. The South 15.00 feet of the North 63.00 feet of the East 148.00 feet thereof; and
5. That part of said Northeast Quarter described as beginning at the southeast corner of the North 73.00 feet of said Northeast Quarter; thence westerly, along the south line of said North 73.00 feet, a distance of 100.50 feet; thence northwesterly to the southwest corner of the North 63.00 feet of the East 148.00 feet of said Northeast Quarter; thence easterly, along the south line of said North 63.00 feet, to the east line of said Northeast Quarter; thence southerly along said east line to the point of beginning

PROPERTY LOCATION MAP



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

THIS SURVEY AND DRAWING
 WAS PREPARED FOR THE
 EXCLUSIVE USE OF:
 MEIER COMPANIES
 ROCHESTER, MN

ANNEXATION EXHIBIT

MONUMENTS
 ● FOUND (AS INDICATED)
 ○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)

DATE: 7/10/2023

DWG NO. 4020SE02 JOB NO. 4020.1

DRAWN BY: G.D.Z. SHEET 2 OF 2 **32**

Proposed Development by Meier Companies in Section 8 of Cascade Township, Olmsted County

Narrative and Summary of Request for Annexation

July 24, 2023

Introduction/Zoning Designation

Meier Companies (Meier) owns a 5.13-acre parcel along 65th Street NW in Section 8 of Cascade Township that lies adjacent to the municipal boundary of the City of Rochester.

Meier desires to annex the entire 5.13 acres into the City of Rochester in order to develop the parcel for a Senior Housing Project with municipal utilities.

A pre-development meeting was conducted on July 20, 2023, and it was confirmed by the City Public Works staff that utilities are available to serve the proposed development and have sufficient capacity.

Meier received approval of a Land Use Amendment from low density residential to medium density residential. Community Development has stated that the property upon annexation will be designated as R-3 zoning.

Application Criteria—Section 60.500.040C4

- a. *The Annexation of Land is consistent with the adopted Comprehensive Plan regarding areas for future growth and development of the City;*

The Annexation request is consistent with the Comprehensive Plan for future growth. The Meier parcel is an infill project lying adjacent to other municipal developments and has a land use amendment designation of Medium Density Residential.

- b. *The proposed Annexation of Land is able to be served by existing City infrastructure and services, or through future expansions of infrastructure and services included in approved City plans or policies, or the applicant has agreed to pay for required expansions of City infrastructure and services on terms acceptable to the City.*

Municipal utilities are adjacent to the site and will be extended into the development at the expense of Meier Companies.

- c. *The property proposed for the annexation is now or is about to become urban or suburban in character; and*

The site is surrounded by urban development to the south, east and west. The property to the north across 65th Street NW is also planned for Urban development. The site will be developed for urban use consistent with the surrounding area.

- d. *The Annexation of Land complies with all applicable provisions of Minnesota state law.*

The site is contiguous with the existing municipal boundary which is required by Minnesota State Statute for annexation of lands by petition of the land owner.

Agency Review Comments

Application No: CD2023-005ANX

9/1/2023 **County Environmental Resources**

8/24/2023 **County Public Works**

9/5/2023 **Fire Review**

Letter attached in the documents tab.

8/21/2023 **Park and Rec Review**

There are no comments from this agency at this time.

8/31/2023 **Public Works Review**

See attached comment in Accela software.

8/21/2023 **RPU Electric Review**

Items to be addressed prior to application approval:

-

Additional Comments:

- Property needs to annexed prior to RPU serving with electric.
- RPU will need 10 ft. U.E.'s along all public and private street.

8/17/2023 **RPU Water Review**

There are no comments from this agency at this time.

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

FROM: Mark E. Baker

RE: The Blossom / Meier Companies Annexation
(PIN 81108)

DATE: 8/30/23

Rochester Public Works has reviewed applications CD2023-005ANX for development of 5.13 acres of land referred to as The Blossom. The following are Public Works' comments for this application:

1. Sanitary sewer collections team have evaluated development of this property and determined that there is capacity of 68 gpm to connect to sanitary sewer in Freedom Dr NW and the area that would gravity flow to that system would be subject to a Trunk Sewer Rate (TSR) charge for the Kings Run Trunk District @ \$12,681.79 per acre (2023 rate). There is capacity to serve the remainder of the property that drains north to the Northwest Territories Trunk District and that area would be subject to a TSR charge for the NW Territories district @ \$27,065.23 per acre (2023 rate). Development of the area draining north would be dependent on the extension of NW Territories sewer (it appears that entire site being developed will drain to Kings Run). It is also subject to a utility connection charge for the existing watermain along the frontages @ \$74.57 per ft of frontage (2023 rate).

Sent to Planning Department via Accela only



City of Rochester
201 4th Street SE - STE 10
Rochester, MN 55904-3726

Phone: 507-328-2800
Fax: 507-328-2829

September 5, 2023

Community Development Department
4001 West River Parkway Suite 100
Rochester, MN 55901

Re: Annexation Petition #CD2023-005ANX by Meier Companies, to incorporate a 5.13-acre site into the City of Rochester. The subject annexation is located at the southeast corner of Freedom Drive NW and 65th St. NW.

The Rochester Fire Marshal's Office has conducted a review of plans submitted for the annexation of the property noted above, and our comments are as follows:

Rochester Fire approves of the annexation plan.

This annexation falls within the 4 minutes response time for the Rochester Fire Department.

Sincerely,

Jason Fife

Assistant Fire Marshal
Rochester Fire Department





Cooper, Maribeth

From: Schnell, Tracy (DOT) <tracy.schnell@state.mn.us>
Sent: Friday, August 18, 2023 8:31 AM
To: Community Development Department
Cc: Wayne, Kurt (He/Him/His) (DOT); Schnell, Tracy (DOT)
Subject: Development Application CD2023-005ANX

[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 direct impact to MnDOT roadways and is acceptable to MnDOT.

- Application Number: CD2023-005ANX
- Description: Annexation Petition #CD2023-005ANX by Meier Companies, to incorporate a 5.13-acre site into the City of Rochester. The subject annexation is located at the southeast corner of Freedom Way NW and 65th St. NW.

Thanks,

Tracy Schnell

Senior Planner | District 6

Minnesota Department of Transportation

2900 48th Street NW

Rochester, MN 55901

C: 507-259-3852

mndot.gov/





REQUEST FOR ACTION

Zone Change CD2023-008ZC by the City of Rochester

MEETING DATE:
September 13, 2023

ORIGINATING DEPT:
Community Development

AGENDA SECTION:
Public Hearings

PRESENTER:
Ed Caples

Action Requested:

Forwarding a recommendation to Council approving City Initiated Zone Change No. CD2023-008ZC for the rezoning of parcels throughout the City where the underlying land use is not consistent with the zoning, where the rezoning to MX-T will further the goals of the comprehensive plan, and where the rezoning to R-2X will further the goals of the comprehensive plan as well as reinforce equity through zoning.

Report Narrative:

The applicant proposes the rezoning of parcels throughout the City where the underlying land use is inconsistent with the zoning, where the rezoning to MX-T will further the goals of the comprehensive plan, and where the rezoning to R-2X will further the goals of the comprehensive plan and reinforce equity through zoning.

Prior to the adoption of the Unified Development Code, Community Development teammates were aware of the necessity to update the zoning map. However, Community Development was intentional in the separation of an update to the zoning ordinance and the zoning map. The separation of these two planning documents allows for a more thorough discussion surrounding their usage. Therefore, this zoning map update can be viewed as an extension of the planning work previously completed.

A majority of the parcels under review can be viewed as part of the greater Unified Development Code implementation. Additionally, the Council directed Community Development Teammates to review the equity of the R-2x zoning boundary designation in the southwest and examine the MX-T boundary.

The Comprehensive Plan contains seven foundational principles that influence and shape the 21 goals of the City, as well as the Council's strategic priorities. This zone change is supported by 21 Goals of the Comprehensive Plan and moves the City closer to achieving those goals.

Priorities & Foundational Principles:

Economic Vibrancy & Growth Management

Policy Considerations & DEI Impact:

This Zoning Amendment achieves the Comprehensive Plan Core Principles of expanding housing diversity, integrating transit and land use, and emphasizing fiscal sustainability.

Prior Legislative Actions & Community Engagement:

May 17, 2023: Zoning Map Update Open House

May 18, 2023: Zoning Map Update Open House

August 11, 2023: Open House postcards sent

August 22, 2023: Zoning Map Update Open House

August 24, 2023: Zoning Map Update Open House

September 2, 2023: Public hearing notice published in the newspaper

Fiscal & Resource Impact:

All development costs will be the responsibility of the developer and will be outlined in a development agreement and/or city-owner contract.

Alternative Action(s):

No alternative actions are suggested at this time.

Prepared By:

Edward Caples

Attachments:

[CD Memo - CD2023-008ZC City Initiated Zone Change](#)

[Rezoning Exhibit - CD2023-008ZC City Initiated Zone Changes](#)

[Public Comments - CD2023-008ZC City Initiated Zone Change](#)

Rochester Planning and Zoning Commission

September 13, 2023

Request: City Initiated Zone Change #CD2023-008ZC for the rezoning of parcels throughout the City where the underlying land use is not consistent with the zoning, where the rezoning to MX-T will further the goals of the comprehensive plan, and where the rezoning to R-2X will further the goals of the comprehensive plan as well as reinforce equity through zoning.

To: City Planning and Zoning Commission

From: Community Development Team

PLANNING COMMISSION 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 development are not criteria for consideration of a Zoning Map Amendment application.

Approval Body: Rochester City Council

Development Review Team Recommendation: Based on the long-term development vision for the City of Rochester, staff recommends approval of the zoning map update.

Background

The zoning map update is a culmination of nearly a decade long planning initiative headlined by the Comprehensive Plan adoption and Unified Development Code implementation. The Comprehensive Plan, approved and adopted in 2018, is a Plan that guides growth, development and public investment in and around the City of Rochester. The Unified Development Code, approved in 2022 and implemented in 2023, was a complete update of the zoning ordinance, which brought the City's development standards into the 21st Century.

The Comprehensive Plan, which predates the aforementioned Unified Development Code, provides a vision of integrated approaches to land use, transportation systems, and public infrastructure. This vision, which relied on a variety of planning practices was not achievable when utilizing the previous zoning ordinance which relied on archaic planning practices. Therefore, following the adoption of the Comprehensive Plan, City

teammates began laying the groundwork for an update to the zoning ordinance. In the interim, Community Development Teammates began preparation of the TOD and R-2x zoning districts to help aid the goals and vision of the Comprehensive Plan.

The modernization of the zoning ordinance culminated in the adoption and implementation of the Unified Development Code (UDC). The UDC provides a user-friendly document that is consistent with best planning practices. More importantly as it relates to this project, it introduced development standards (parking requirements, 360-degree architecture, and mixed-use zoning districts) that carries out the goals and vision of the Comprehensive Plan.

The zoning map update reviewed parcels under three criteria. First, the zoning district assigned to a parcel is inconsistent with the underlying land use. Additionally, council directed CD teammates to review the R-2x and MX-T zoning districts. Parcels outside of these criteria, were not included in this review.

ANALYSIS

General Analysis

Prior to the adoption of the Unified Development Code, Community Development teammates were aware of the necessity to update the zoning map. However, Community Development was intentional in the separation of an update to the zoning ordinance and the zoning map. The separation of these two planning documents allows for a more thorough discussion surrounding the information they provide. With that being said, this zoning map update can be viewed as an extension of the planning work previously completed.

As such, a majority of these parcels under review can be viewed as part of the greater Unified Development Code implementation. Additionally, through this process, City Council directed Community Development Teammates to review the equity of the R-2x zoning boundary designation in the southwest, and examine the MX-T boundary.

The Comprehensive Plan contains seven foundational principles that influence and shape the 21 goals of the City, as well as the City Council's strategic priorities. This zone change is supported by 21 Goals of the Comprehensive Plan, and moves the City closer toward achieving those goals.

An interactive map displaying the proposed zone changes can be found here: <https://experience.arcgis.com/experience/5e38c187dad1435e87e1b8dfabc5cd3f/>

Criteria One: Zoning/Land Use Inconsistency

Using a Geographic Information System (GIS) Query and a Zoning/Land Use Matrix, roughly 6,000 parcels were flagged. In theory, these parcels had a zoning district (Unified Development Code) that did not align with the underlying Land Use (Comprehensive Plan). Community Development then reviewed each parcel to confirm that the parcel should indeed be recommended. The existing use, future redevelopment potential, City's

strategic initiatives, and general locality of the parcel were evaluated to make such a recommendation. Based on this criteria, 2,276 parcels are proposed for a zone change.

Criteria Two: Review of R-2x

In 2019, the City of Rochester embarked on the implementation of the R-2x zoning district. The areas of Rochester that were designated for the new zoning district were located near the downtown, developed in a grid street pattern, and most consequentially, were areas where it was believed the value of the land would soon outstrip the value of the structure.

As designated by the City Council, social equity is a foundational principle of the City. With that in mind, our team has spent time reviewing the historical context of these neighborhoods. By in large, from their inception, these neighborhoods were unified under racial covenants that systematically intended to keep individuals out. Additionally, these areas were reverse red-lined which indicted to the Federal Housing Authority that certain areas could support loans. Commonly, these maps created by the Home Owners' Loan Corporation on behalf of the FHA, had an explicit racial component.

The idea that zoning boundaries should take into account property values is fundamentally flawed. Rather, zoning boundaries should advance the Council and City's strategic initiatives. More broadly, the R-2x Zoning District should be more equitably placed throughout the City's four quadrants. With all this in mind, the Community Development team is recommending to rezone 484 parcels to R-2x, which will achieve an equitable usage of the R2x zoning designation.

Criteria Three: Examination of Transit Oriented Development (TOD)

Based on council directive, Community Development teammates examined the current boundary of the MX-T zoning district. In 2019 when the TOD was implemented, TOD was the only zoning designation that aligned with the Mixed-Use Transit Supportive Land Use designation. Now that the UDC is implemented, we are able to utilize the MX-S zoning district, which aligns with the underlying Land Use for these properties.

Under its review, Community Development believes that certain portions of MX-T along Broadway are not prepared for true transit-oriented style development. These areas comprise of those parcels north of the Elton Hills Drive MX-T Node and South of 16th Street. Parcels along this corridor are likely a building life cycle away from TOD style redevelopment.

The proposed zone change to MX-S is a zoning district that supports the Council and City's vision for transit oriented development. This rezoning will allow for the prioritization of other areas more prepared for an urban style transit supportive development. With all this in mind, the Community Development team is recommending to rezone 217 parcels from MX-T to MX-S.

Engagement

The zoning map update is a culmination of nearly a decade long planning initiative headlined by the Comprehensive Plan adoption and Unified Development Code implementation, but also including the creation of the TOD and R-2x zoning districts. A very brief summary of the engagement efforts associated with the aforementioned projects is provided below.

- Comprehensive Plan (2014-2018)
 - 7,000 individual ideas
 - Countless stakeholder and partner events
- TOD and R2x (2018-2019)
 - 15 Community Engagement events
 - 7 Stakeholder events
- UDC (2020-2022)
 - 80,000 people reached through social media
 - 1,150 people reached at public events
 - 10,000 people reach through radio adds
 - 50 plus unique engagement events

For the zoning map project specifically, Community Development Teammates have made an intentional effort to inform and engage the public and various stakeholder groups throughout this process, including 5 open houses. In May, three open house style engagement events were held for the public to ask any questions and provide comments surrounding this proposal. Additionally, postcards were sent to each property owner potentially affected by the rezoning. These postcards were sent prior to the second round of open house engagement sessions held on August 22nd and 24th.

Attached please review the list of comments/questions that have been submitted through the engagement process.

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 proposal are appropriate for the subject properties and are compatible with the surrounding land uses.

- 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.**

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;
The proposed rezoning will bring properties into conformity with the Comprehensive Plan by applying zoning districts that better align with the underlying land use as laid out in the Community Development Memo above.
 - 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;
While certain zoning designations are consistent with the underlying Land Use, the proposed zoning districts better align with the goals and policies of the Comprehensive Plan as described in the Community Development Memo above.
 - 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

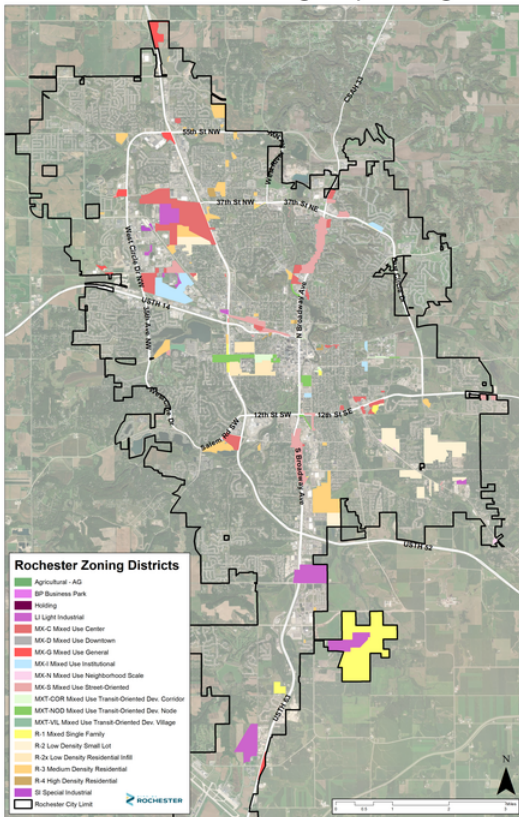
This Rezoning was reviewed in accordance with the provisions of Section 60.500.40E.4 for Zone Change Map Amendment

The Community Development Team recommends approval, as outlined in the Planning Commission Summary above.

ATTACHMENTS

1. Rezoning Exhibit
2. Public Comments

Recommended Zoning Map Changes



From: Camilleri, Michael, M.D., DSc <camilleri.michael@mayo.edu>
Sent: Sunday, August 27, 2023 12:07 PM
To: Community Development Department; Norton, Kim
Cc: Carlson, Brooke; Keane, Patrick; Bransford, Mark; Wahl, Norman; Kirkpatrick, Kelly Rae; palmerward5@gmail.com; Dennis, Molly
Subject: Request to the Zoning Commission regarding zoning change to R2x for 4th Street SW, Rochester, MN 55902

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

August 27, 2023.

To the Zoning Commission:

As residents of 932, 4th Street SW, Rochester, MN 55902 for over 36 years, we are writing to express our strongest objection to the proposed zoning change on 4th Street SW from residential to R2x, with primarily apartment buildings and condos, with up to 18 units per building.

We respectfully object to the proposal which will drastically change this historic neighborhood with landmark and historic homes by such apartment buildings and condos.

Our home, like several others in the neighborhood, is on the national historic register:





We perceive that there is little to value to the city for doing this rezoning on 4th Street SW which will destroy our important historic heritage and neighborhoods. Rather, we would request that the City reconsider this decision and carefully balance preservation of our landmark structures and neighborhoods versus development of the residential area with properties (as shown below in the examples provided) that are well-suited for ***other*** neighborhoods in Rochester.



Respectfully submitted,

Michael and Josephine Camilleri

From: Caples, Edward
Sent: Tuesday, September 5, 2023 8:36 AM
To: Community Development Department
Subject: FW: Rochester Zoning Updates
Attachments: Zoning adjustment proposal feedback 8.31.23.docx

From: Carter Clarke <Carter.Clarke@reaganusa.com>
Sent: Thursday, August 31, 2023 5:49 PM
To: Woodward, Irene <iwoodward@rochestermn.gov>; Yetzer, Ryan <RYetzer@rochestermn.gov>; Caples, Edward <ecaples@rochestermn.gov>
Cc: Jeremy Gunderson <Jeremy.Gunderson@reaganusa.com>; Nels Pierson <Nels.Pierson@reaganusa.com>
Subject: Rochester Zoning Updates

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

Community Development Director and Staff,

Thank you for opening up the process to update and adjust the zoning of properties throughout the City of Rochester to more closely match the land use plan. We have attended in-person and online meetings and attempted to learn as much as possible from this process and also understand it coincides with other programs that have been in motion for multiple years. The interactive map was fairly easy to navigate and we spent quite a bit of time looking at the proposed zoning changes and rationale. We support the overall concept of the project and thank you for your time and effort that you have put forth into it. We are also encouraged that you are accepting feedback at this time and we hope that you will consider our observations for consideration before final maps are adopted and presented to Planning and Zoning.

Generally speaking, we still understand the current policies that involving billboards to be applied as a cap on the number of boards in our city and a replacement policy that is designed to allow billboards to be replaced in appropriate areas. In order for billboard companies to move boards out of non-conforming locations there need to be available, marketable locations for the billboards to be moved to. The current zoning is already rather constraining in this way and unfortunately based on some of the current proposals we see a lot more parcels that are removed from being able to have billboards placed on them vs parcels that we will gain for areas to place billboards from this zoning adjustment.

We continue to advocate for a broader discussion on billboard policy. In order to meet the city's stated goals of moving billboards to conforming locations we believe conforming areas need to be expanded by opening up additional zones, removing or lessening some of the current restrictions -whether it be by areas or by looking at certain spacing reductions. We're certainly willing to have discussions on these and other various topics to achieve an overall comprehensive policy that results in the long-term goals for all stakeholders.

Thank you again for allowing us to participate in this process.

Have a great Labor Day Weekend.

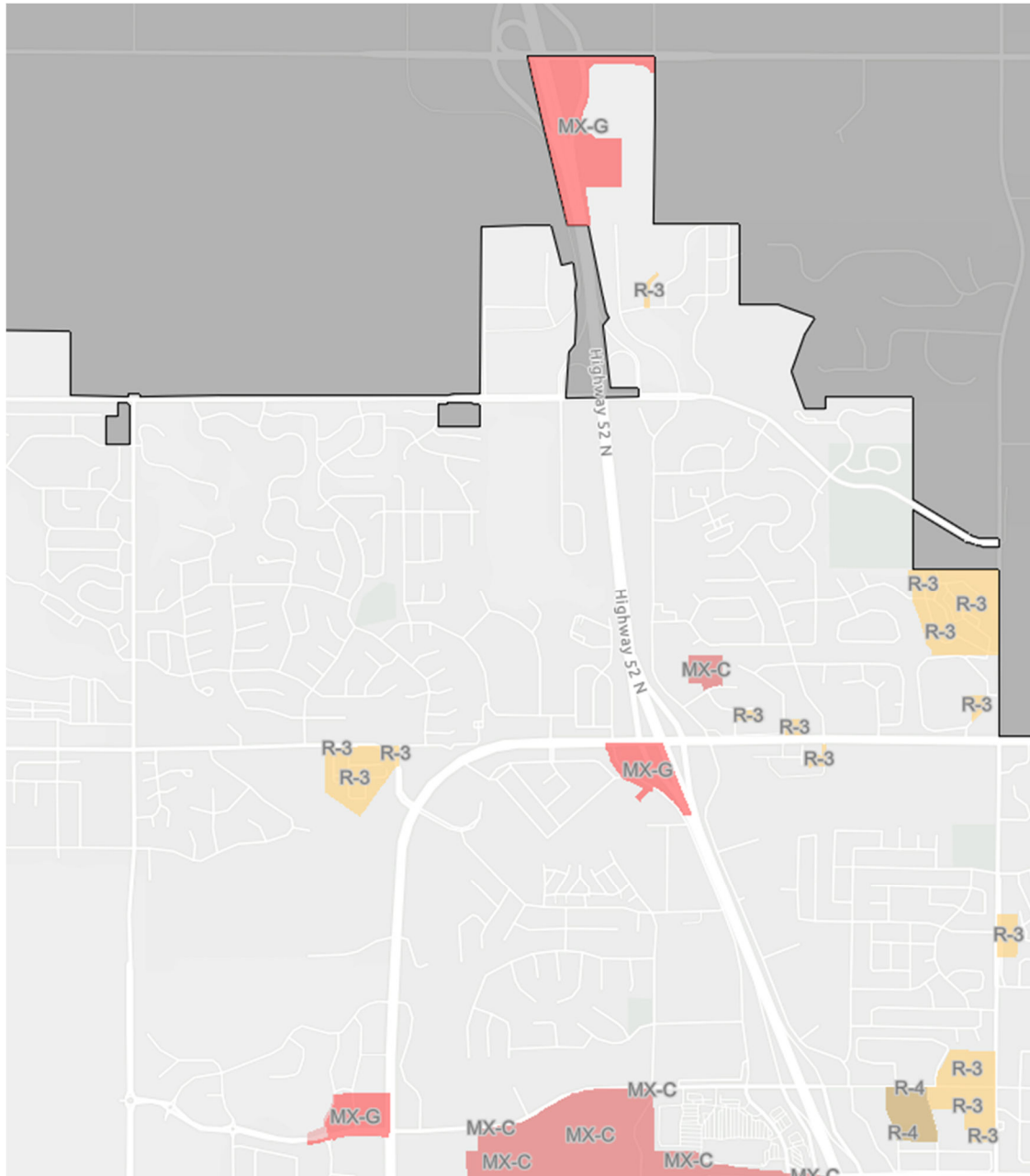
Best regards,

Carter

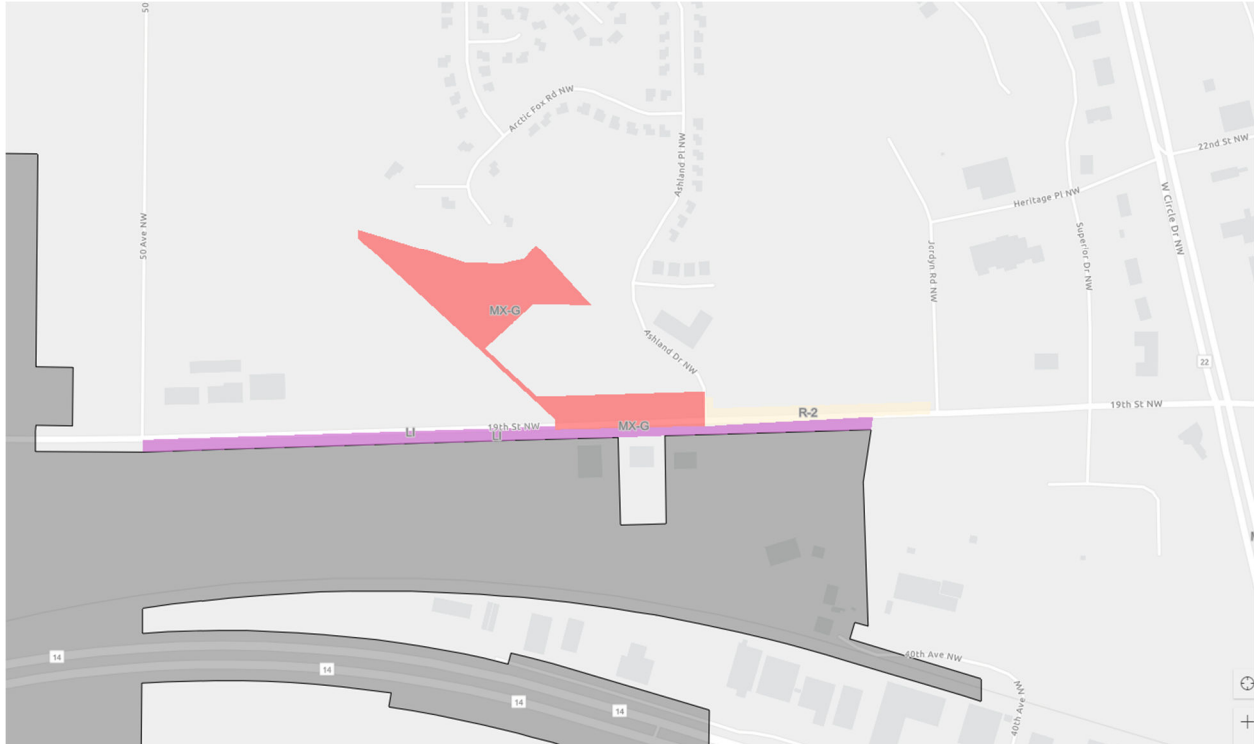
S. Carter Clarke
Real Estate Manager
Reagan Outdoor – Rochester, MN
(507) 288-1866
(507) 316-6350 (direct)



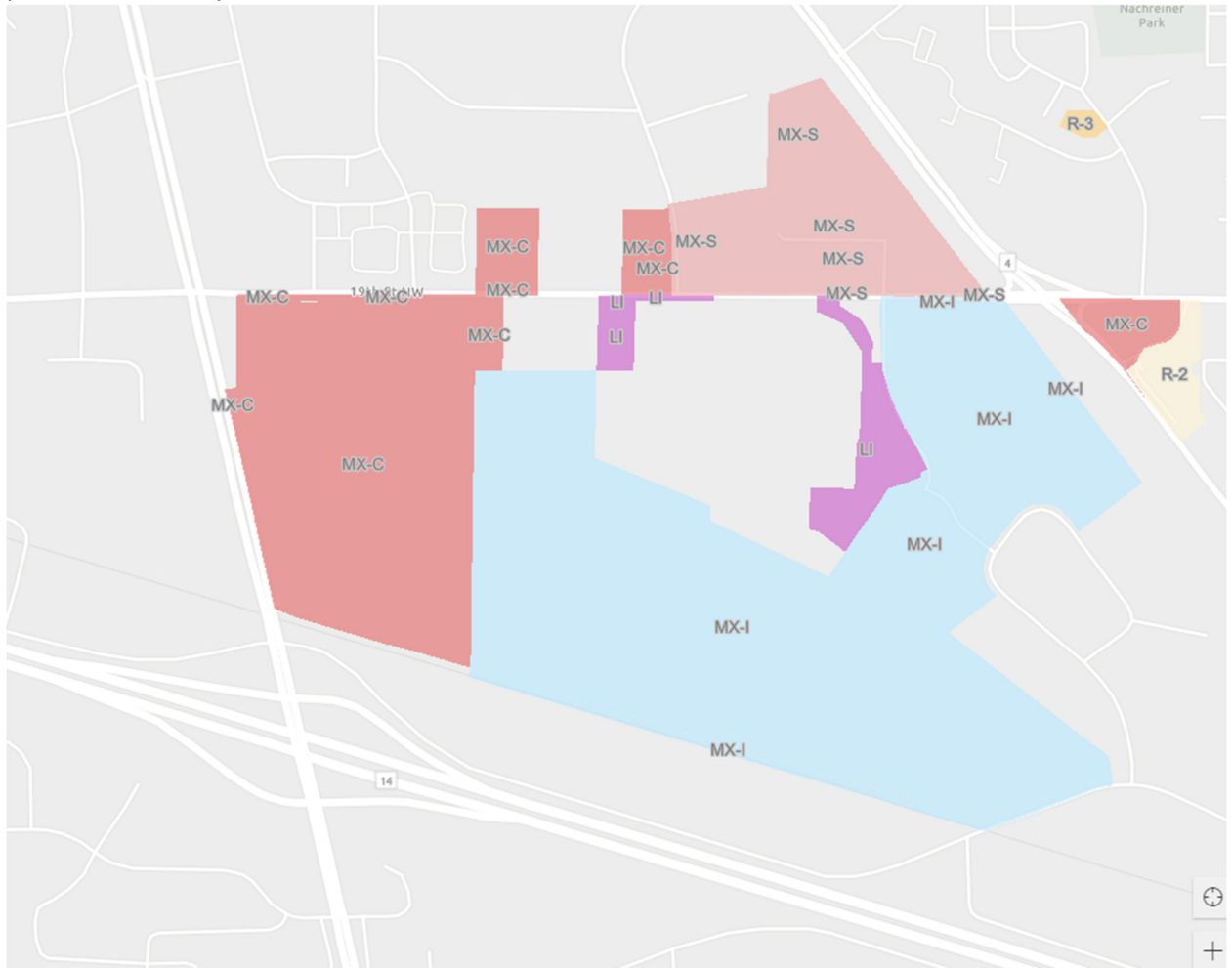
1. Circle Drive and Highway 52N MXG additions The expansion of MXG at the northern most edge of the city limits is a welcome addition and is one of the few locations that may now allow the placement of a billboard to a new conforming location. Mostly made up of highway right of way, this small rezoning allows a potential area around the 75th St. interchange. There are some challenges Ag zoning nearby however this re-zone is one welcome addition of the zones we are currently allowed in. We also note the addition of 2 new MXG areas along Circle Dr. at 55th which we think further illustrates the conversation that portions of Circle Drive should therefore be being considered to be opened up for billboards as the zoning allows for such. This could be accomplished in a responsible manner.



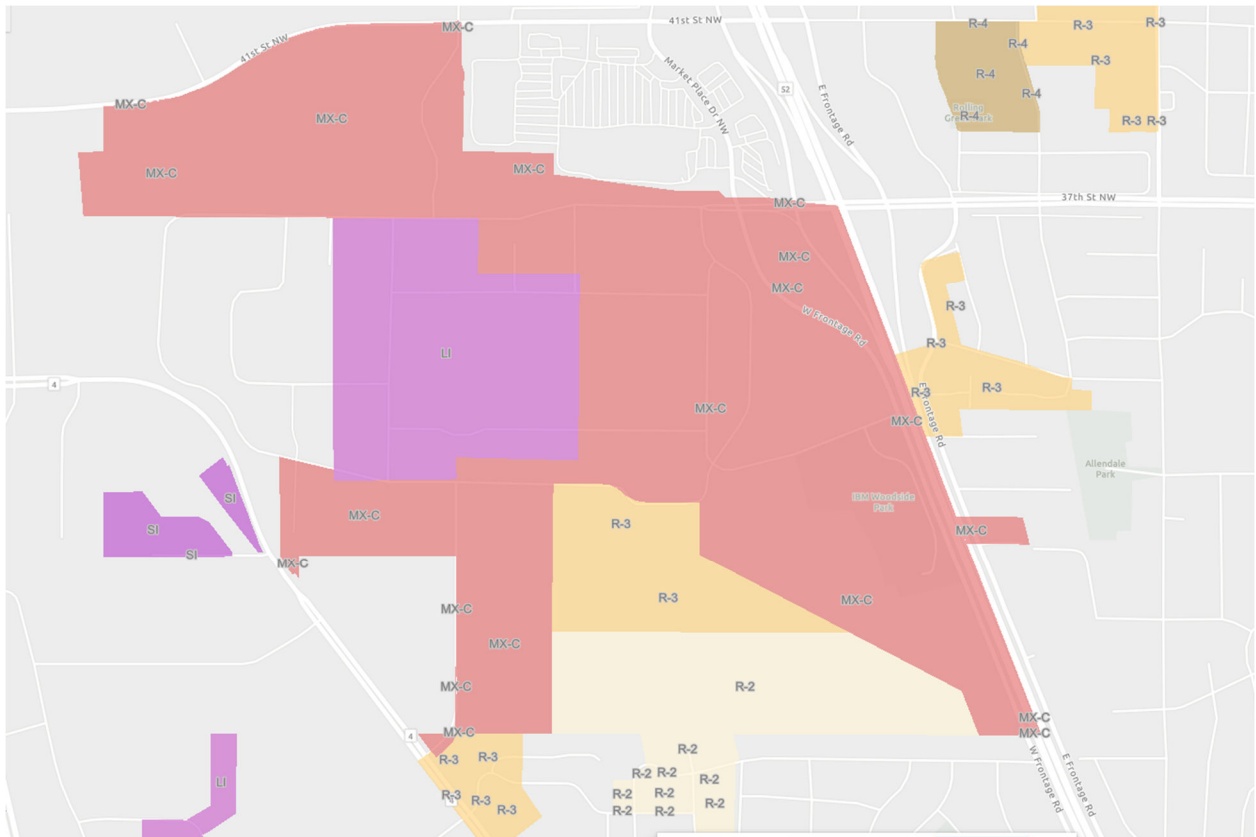
2. 19th St. west of Circle Dr. Along 19th St NW there is an addition of MXG and a conversion of some right of way that is zoned as residential and converting that to LI. Our only question here is the drainage ditch that runs at a diagonal line running north and west from 19th St. With our spacing requirements this trailing residential zoning in an area where no homes will be constructed seems like an unnecessary application of that surrounding area zoning. Could this be reconsidered?



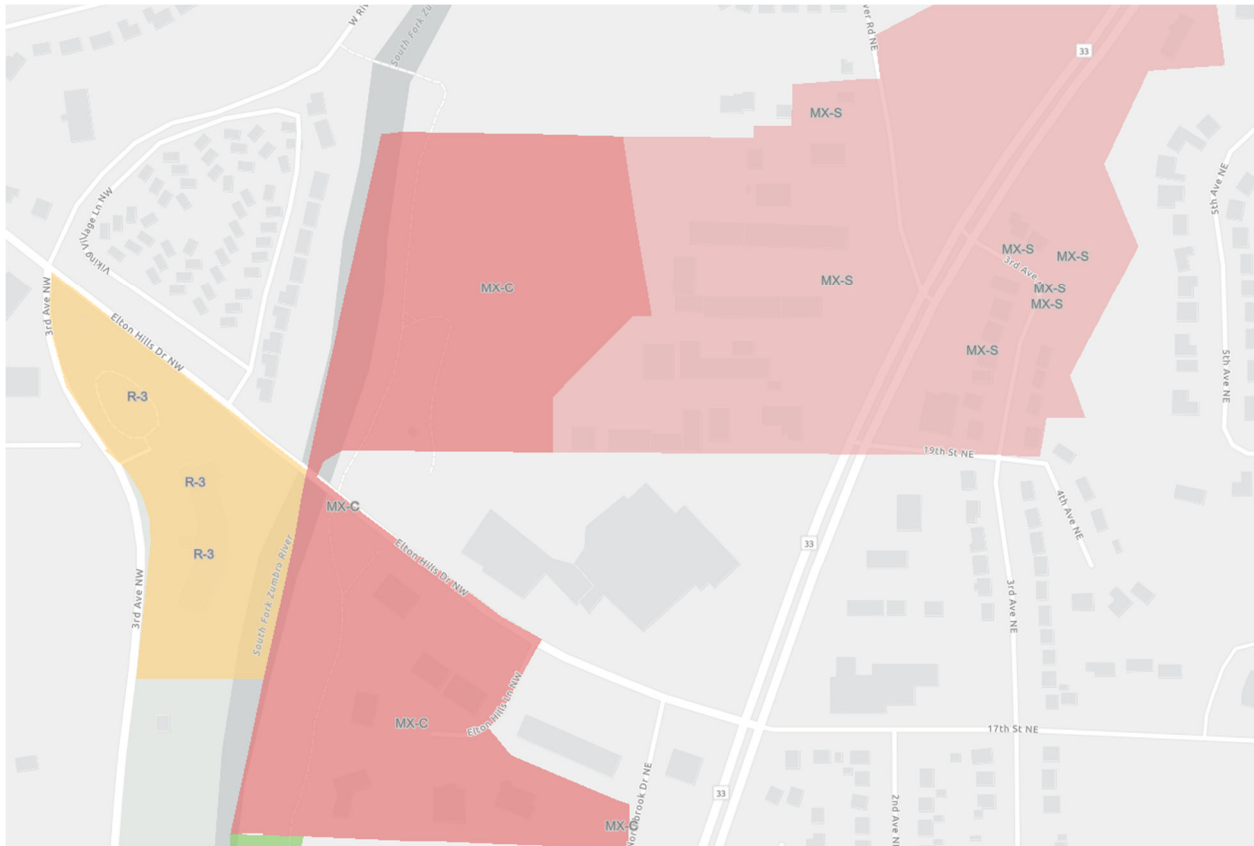
3. 19th St. East of Circle Dr. Knowing that Circle Dr. is presently a specifically restricted area for our Industry, we still believe that the application of MXC zoning at the existing Whitting's Nursery is a misapplication of the zoning and that this area rather should be considered as LI, SI or MXG zone. It was obviously wrong as an R1 district and definitely needed addressed, so kudos on this fix. Based on our interpretation of the application of the UDC zoning description for MXC, the idea that this area is compatible with surrounding residential neighborhoods appears to be in contrast to the surroundings of the Whitting's parcel. Additionally, the surrounding properties are zoned LI or SI. Across 19th St. is some of the largest retail in the city and is not one that is pedestrian friendly.



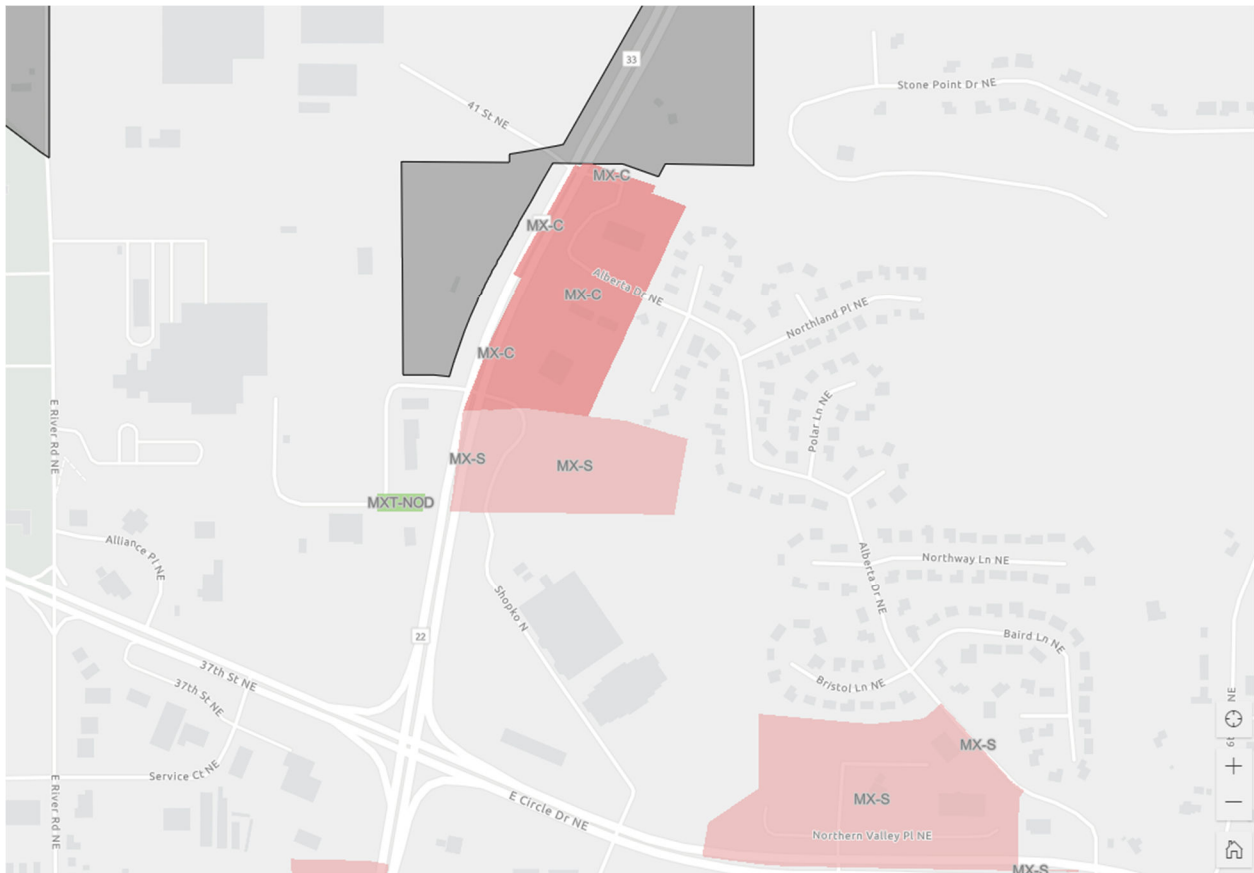
4. The IBM complex and Homestead Church This specific site is a large reduction in area that we could have been potentially allowed in the past to place boards in and perhaps demonstrates the most consideration for adding MXC to the zoning that billboards should be allowed within. Similar to the discussion of slide #3, we interpret the MXC zoning as supposed to be where there is going to be walkable scaling that is compatible with surrounding residential uses. Again, this specific site has limited to no residential neighborhoods around this area. The Homestead Church is along a major highway frontage road that does not have a sidewalk. The removal of LI and SI in this situation along highway 52 presents an obstacle for not only our uses but also other potential developers in the area as it appears the future adjacent uses limit what types of development can go in this large parcel of land.



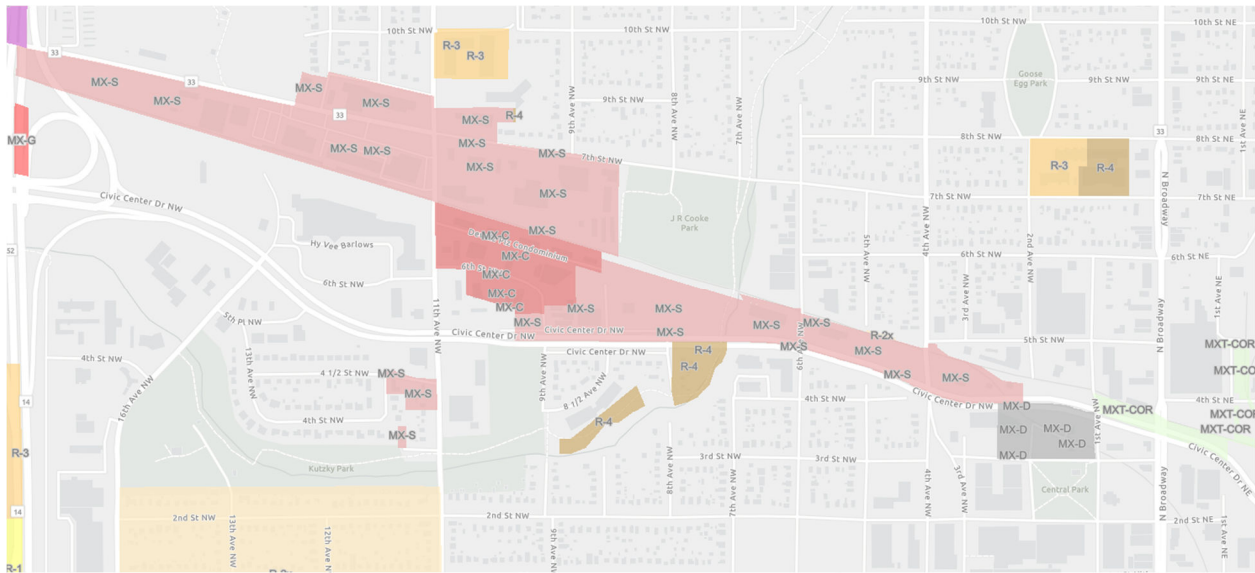
5. Broadway and Elton Hills dr. area highlighted is surrounding the REC Center TOD/ MXT-COR MXT-NOD areas that are being returned to standard zoning are not allowing for billboards, where billboards were previously conforming uses. The area below is an example of land that was previously zoned LI proposed to being converted to MXC but also rezoning some of the TOD into MXS. Much of the area of this TOD was zoned as M1 previously and all of this now creates previously existing conforming locations and continues to make the areas as non-conforming. M1 zoning seems to have been translated in most other areas of town to LI, however our observation is that this corridor of the TOD seems to be “down zoned” to MXC and MXS zoning.



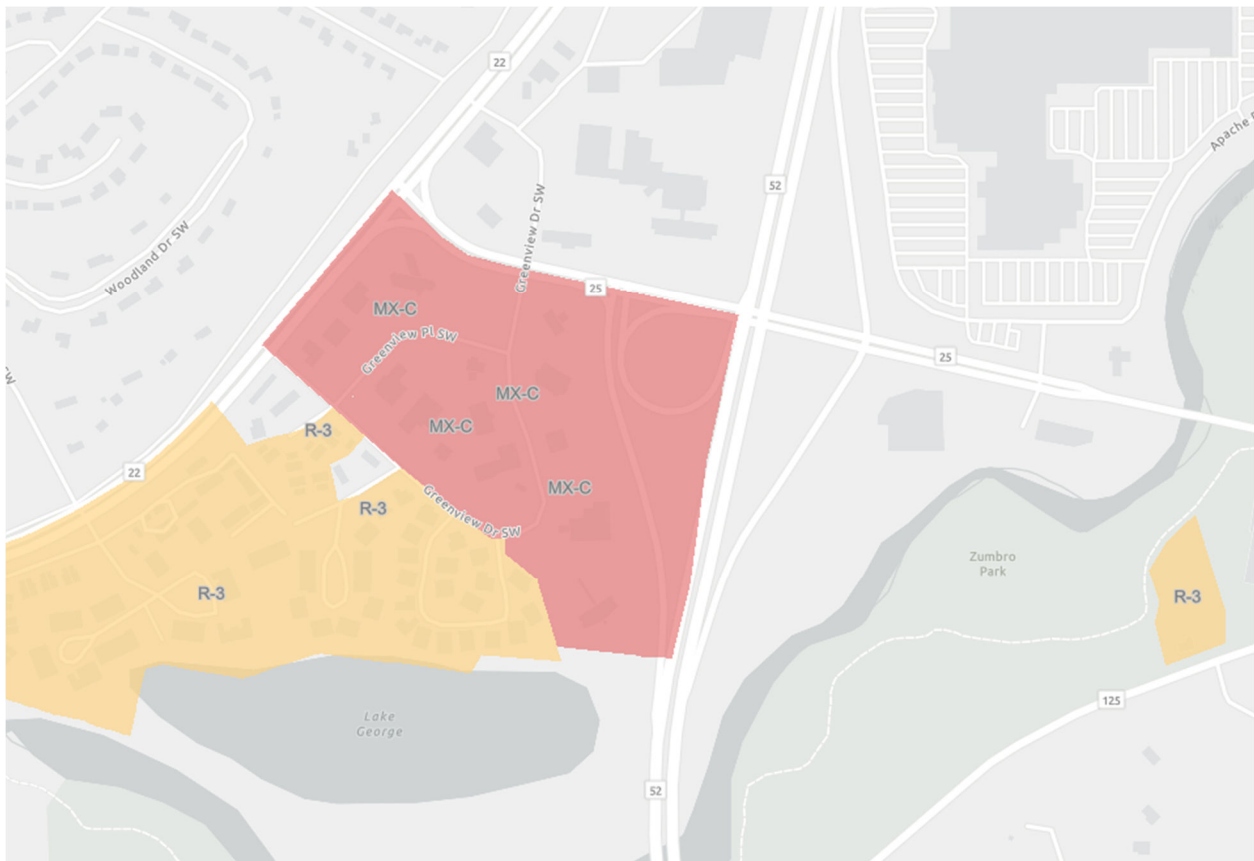
6. N Broadway and 37th St. Across from Rochester Lapidary Jewelers In the north edge of Broadway we see current MXG zoning near the old Shopko location being rezoned from MXG to MXC. This is currently a conforming zoning area that we could potentially relocate a nonconforming structure to. There is a separate issue of trailing residential zones that fall in drainage areas or road right of ways is a significant issue that during this time of rezoning we would hope the city would continue to review and clean up. We see this type of “spot/strip zoning” of residential zoning in several areas of town that end up excluding otherwise conforming locations from consideration, which we were hoping the UDC would expand, not shrink. This intersection is surrounded by commercial enterprises but has been and now with the removal of more favorable zoning will be even more restrictive for allowing for a potential conforming location. Maybe these small strips can be potentially looked at and included with the zoning that are adjacent to them?



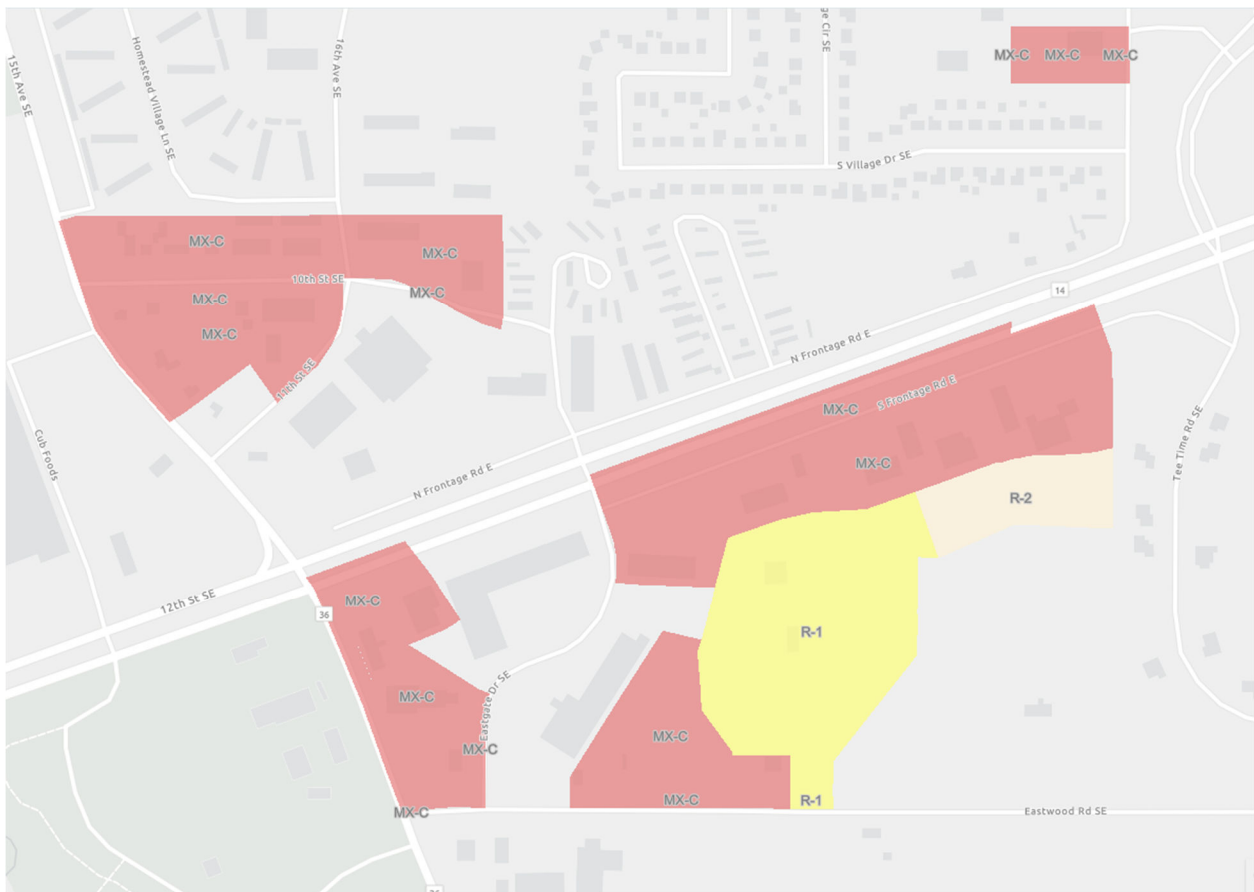
7. 7th St Railroad corridor from Highway 52 past Broadway Ave. This corridor change represents a vast reduction of presently potential available zoning for relocating nonconforming boards to a conforming area. Current LI and MXG is being removed and replaced with MXC and MXS zoning in an area that by its proximity to railroad tracks is not accessible or currently pedestrian friendly. 7th street is a major artery due to the limited number of crossroads because the railroad tracks run parallel to the road. The MXT COR on the East side of Broadway is replacing potential site that are currently LI and MXG. We are compelled to point this out as each potential conforming areas shrink without comparable areas in the city opening for these losses.



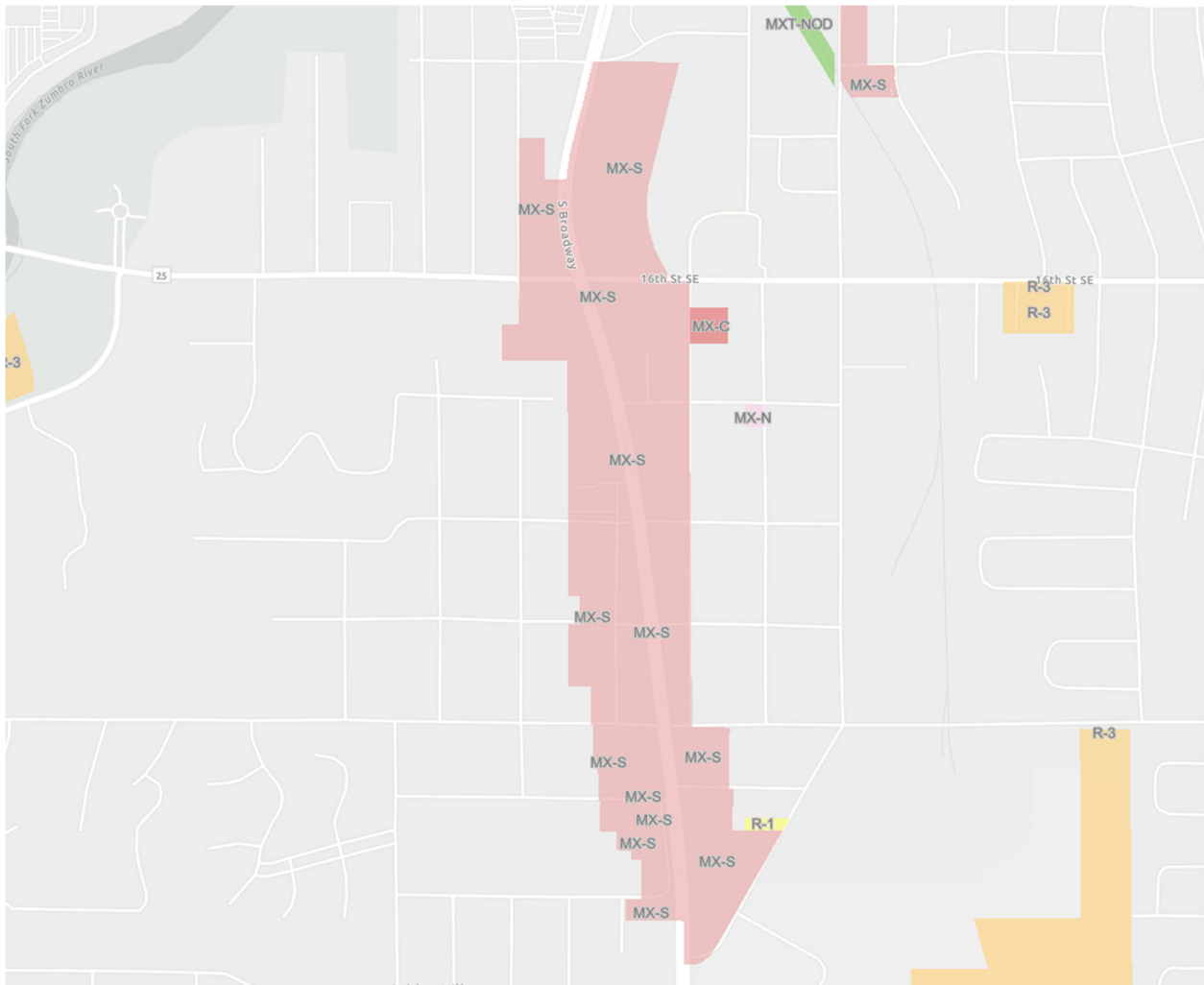
8. Salem Road and 16th st. This area is presently filled with large banks and offices along with daycares. The MXG zoning seems a good fit as most of the institutions that are in this zone are serving a larger regional area. There certainly is a case that with the Residential development nearby there would be the potential of walkability here but the businesses that are in this district are higher intensity ones that in general do not service the people who live in that direct neighborhood. It's possible that a better illustration of MX-G is better made by the corner grocer across the street but because the lack of walkability to cross Salem road that would be a difficult logic for the MXC zoning as the area exist currently. Maybe there is something planned we are unaware of to enhance this?



9. Highway 14 and 15th ave. SE This area again adds MXC zoning in non-walkable or pedestrian heavy areas at the expense of MXG zoning. However, if MXC is truly the zone of choice, then this should further demonstrate that billboards should be allowed in MXC zoning. This is along a state highway and has limited pedestrian traffic but businesses that service the broader region with the uses they provide. We'd be happy to discuss further regulations for this zone that did not exist previously, but is clearly commercial (not residential).



10. South Broadway TOD district removal Much like the TOD district on the North end of Rochester this area had previously been zoned mostly as B4 which when one uses the chart of the UDC, and when the TOD district is removed it should be restored to become MXG (= to B4). There are existing billboards that were conforming before the TOD district that will now be non-conforming vs being conforming as they were just approx. 4 years ago. This just further makes the non-conforming locations all that more valuable and does not give any incentive to shift inventory to other areas of the City, which would be in all parties' interests over time.



From: Jennifer Higgins <jhcastlerock@icloud.com>
Sent: Friday, August 25, 2023 1:14 PM
To: Community Development Department
Subject: Rezoning of Historic SW

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

I am against the rezoning in the SW Historic. We live here because we want to live in a neighborhood, and its historic importance should be important to Rochester, too, so it's not only a medical city!!!

Sent from my iPhone

From: Rizza, Stacey A., M.D. <Rizza.Stacey@mayo.edu>
Sent: Monday, August 28, 2023 10:54 AM
To: Community Development Department
Subject: Rezoning Historic Southwest

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

To Whom it May Concern,

I am writing to express my strong disapproval of rezoning the Historic Southwest neighborhood from an R1 to an R2x zone. I am a long-term resident of Rochester, I grew up in the Historic Southwest neighborhood, and now have lived there for almost 20 years since returning to Rochester in 2004. Over my lifetime, I have watched Rochester blossom into the remarkable city it has become and I thank the Rochester leadership for helping making this happen. However, as we continue to grow we must do so thoughtfully and in a manner that does not ruin our history, culture, and community, without which the city will flounder in the long term.

Rezoning the Historic Southwest neighborhood will alter, and ultimately destroy, this historic part of Rochester. It will lead to the replacement of historic homes on the national registry with apartment buildings and other multiunit facilities which will fundamentally change the city's heritage that includes the Foundation House, the Damon House, the Phoebe Walters home, and many other historic homes built by internationally recognized architects, such as Ellerbe.

Fortunately, there is plenty of space for Rochester to expand externally without having to irrevocably alter and ruin our core. As such, I ask that you represent me, my neighbors, and the future residents of Rochester by preventing Historic Southwest from being rezoned from R1 to R2x.

With appreciation,

Stacey Rizza

Stacey Rizza, MD, FIDSA

Executive Medical Director, International Practice and Asia Pacific
Professor of Medicine, Division of Infectious Diseases

Mayo Clinic, Rochester, Minnesota
507-255-8464 | @DrStaceyRizza

From: Rizza, Robert A., M.D. <rizza.robert@mayo.edu>
Sent: Monday, August 28, 2023 4:47 PM
To: Community Development Department
Subject: Vote against rezoning the Historic Southwest neighborhood

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

Dear Members of the Rochester City Council,

I am writing to strongly oppose the proposal to rezone the Historic Southwest neighborhood from an R1 to R2x. My wife Emily and I have lived in the Historic Southwest neighborhood since 1979. In addition to being a warm and beautiful neighborhood, it is the reason that Emily and I, as well as many of my colleagues at Mayo, still live in Rochester.

I have been very fortunate to have had a successful clinical and research career at Mayo. Because of this, I have received numerous job offers at other prestigious institutions all of which would pay me considerably more than I was being paid at Mayo. However, I turned them all down for both personal and professional reasons. The professional reasons centered on Mayo's unique values and work environment. The personal reason was very simple: none could provide my family with the convenience, beauty and tranquility that a home in the Historic Southwest neighborhood did and does.

I can assure you that I am not alone in this sentiment. Initially as Chair of the Division Endocrinology, Diabetes, Nutrition and Metabolism and subsequently as Executive Dean for Research of Mayo I have been involved in recruiting many physicians and scientists to Rochester. Mayo offers a wonderful environment, but Rochester repeatedly made the difference for successful recruitments. Time and again, the candidates who chose to move to Rochester, singled out the value they placed on Rochester as a safe and fostering place to raise their children and the uniqueness of having a neighborhood as beautiful and peaceful as the Historic Southwest so close to their new offices at the Mayo Clinic.

Mayo cannot succeed unless it is a destination medical center. Rochester will not thrive if Mayo does not succeed. Neither will happen if we are unable to recruit the brightest and best to Mayo and Rochester. Therefore, do not destroy one of the main attractions for both young and old professionals who are considering moving to Rochester.

Do not rezone the Historic Southwest from a welcoming and safe single housing neighborhood (R1) to the typical multiuse, multiunit neighborhood that surrounds virtually all of our competitors.

There is a large amount undeveloped land close by Rochester. Keep our uniqueness. Build on strength rather than undermine one of Rochester's jewels. Vote against rezoning the Historic Southwest neighborhood from a R1 to a R2x zone.

Sincerely,

Robert A Rizza, MD

From: City of Rochester <donotreply@granicus.com>
Sent: Friday, August 25, 2023 3:54 PM
To: Community Development Department
Subject: lroadas@yahoo.com

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

Message submitted from the <Rochester, MN> website.

Site Visitor Name: Linda
Site Visitor Email: lroadas@yahoo.com

Restore vs Destroy.

Why do you have to have zonings that are not equal in part?

That is discrimination against that part of town or favoritism for another.

Start at the center of Rochester, MN which would be Broadway and Center street and work your way out.

There are properties that are foreclosed and there are empty lots or empty buildings every where.

Why cant it be one thing at a time for zoning?

I thought of Hawaii and there fire and the first thing the Mayor said was that they would restore the city the way the people of the city want, not destroy it. Please stop destruction and help restore Rochester, MN. There are humans that live in Rochester, MN that are working hard to make a living doing all the dirty jobs nobody wants, two or three jobs and can barely make ends meet because everything goes up except there pay check. Then on top of that they may get injured working and get raked for the coals because they have no insurance. Not all the humans in Rochester work for the DMC/Mayo. There is a lot of history in Rochester, MN that is going unnoticed. Rochester use to be a community that worked together to help others. Now it seems to be more greed then care. It makes me sad to see so much being destroyed by people, all because of money.

From: Thomas Strauss <twstrauss1050@gmail.com>
Sent: Wednesday, August 30, 2023 2:32 PM
To: Community Development Department
Subject: Zoning map change for; 2821 26th Street NW

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

My name is Tom Strauss; I am the managing partner for The Strauss Group, LLC. The above is a 10 plex property, that is R-3 Multi Family zoning which is currently a conforming use. Your plan is to change it to R-2 Low Density which would make us a legal nonconforming use. I do not understand; to me it complicates things greatly; especially having to explain the complications of rebuilding to a potential seller. We have sold our other properties and may eventually want to do the same with this. To the best of my knowledge we have had no complaints about our current status of our property from any of the neighbors and are complying with you on our rental requirements. In turn, we are fine with changes you want to do to the neighboring zoning. I just don't see any reason to change us; and would appreciate very much if you would leave us at R-3. Thank you.

Tom

From: Khosla, Sundeep, M.D. <khosla.sundeep@mayo.edu>
Sent: Friday, August 18, 2023 8:15 AM
To: Community Development Department
Cc: Nita Khosla (NitaKhosla@edinarealty.com)
Subject: Proposed re-zoning of 3rd Street SW

Follow Up Flag: Follow up
Flag Status: Flagged

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

To the Zoning Commission:

As residents of 815 3rd Street SW for over 35 years, we are writing to express our strongest objection to the proposed zoning change on 3rd Street SW from residential to MXT-COR (Mixed Use Transit-Oriented Dev. Corridor). We understand this change is precipitated by Mayo's request for a transit zone along 2nd Street.

Our objections are as follows:

1. We can understand converting both sides of 2nd Street SW into mixed or commercial use. But this makes no sense for 3rd Street SW. We are well removed from the proposed transit zone and in a highly residential, low density neighborhood that includes many important historic Rochester landmarks and homes. These include the Foundation House (e.g., this re-zoning would potentially allow a gas station or grocery store across from the back yard of the Foundation House), the Damon House, the Phoebe Walters House, and many historic private residences that are on the national historic register, including ours:





2. Located where we are, there is little to value to the city for doing this rezoning on 3rd Street SW. There will be few commercial opportunities in this residential area, and it will be vehemently opposed by all residents. To what end for the city? The city should consider the consequences of this very carefully and not do this just because it has the power to do so.
3. Finally, we understand the need to expand the commercial footprint of the city. However, this should not involve using a sledgehammer that destroys our important historic heritage and neighborhoods. We would request that the City reconsider this decision and carefully balance commercial development versus preservation of our landmark structures and neighborhoods.

Thank you for your consideration.

Sundeep and Nita Khosla
815 3rd Street SW
Rochester, MN 55902

From: City of Rochester <donotreply@granicus.com>
Sent: Tuesday, August 22, 2023 1:31 PM
To: Community Development Department
Subject: 2023 Zoning proposal

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

Message submitted from the <Rochester, MN> website.

Site Visitor Name: Linda Wagner
Site Visitor Email: will2815@gmail.com

I live in the Crimson Ridge area south of Overland Drive and west of 18th avenue Northwest. I don't believe this fully developed area should be re-zoned to R-3 when it is now completely populated with R-2 housing. It would be unacceptable to knock down almost new housing to replace it with R-3, and there is no undeveloped land. The roads in this neighborhood were not built to support that level of traffic.

From: City of Rochester <donotreply@granicus.com>
Sent: Tuesday, August 22, 2023 1:41 PM
To: Community Development Department
Subject: 2023 Zoning proposal

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

Message submitted from the <Rochester, MN> website.

Site Visitor Name: Louis Wagner
Site Visitor Email: lrwagner51320@gmail.com

I live in the Crimson Ridge development north of 55thSt NW and West of 18th Avenue. I do not believe this residential neighborhood should be re-zoned from R2 to R3.