

Rochester Planning and Zoning Commission
Meeting Minutes
June 6, 2023

Members Present: Brad Lewis, Arthur Handelman, Laura Laudon

Others Present: Jered Staton, Jamie Niesen, Nathan Clarke

Chair Handelman called the meeting to order at 7:09 PM.

Brad Lewis made a motion to approve the minutes from the May 9, 2023 Meeting. Laura Laudon seconded the motion. Vote was unanimous.

There were no additional agenda items.

Tabled Item: Subdivision Ordinance

Below is a summary of the changes to the subdivision ordinance as a result from Tuesday night's meeting. Prepared by Mr. Staton:

- Sidepath/bike lane requirement:
 - Width was updated to 8' in section 6.5.
 - Since the width has been increased, it now meets MNDOT guidelines to be considered a "bike path". We can rename this section if deemed appropriate.
 - Brandon Theobald provided a pavement section his firm uses for bike paths. It includes a minimum of 6" of base material and 2 courses of asphalt at 1.5" each.
 - I recommend we revise this to: 6" prepared subgrade per MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION 2112, minimum 6" base and one course of HMAC at 3". This would eliminate a second pass with the laydown machine and prevent rutting of the trail.
- Finished Floor Elevations for lots affected by flood plain:
 - Section 5.9 has been updated to include a finished floor elevation of 2' above the established or determined base flood elevation. This is only required for lots adjacent to or including flood plain.
 - For areas that have not been studied, Zone A & D, an engineering report would be required to determine the base flood elevation.
 - Additionally, I updated section 4.2 to require a table be added to the final plat indicating the required finish floor elevations for affected lots.
- Storm Water over topping public roads
 - Section 5.0.1 has been included to require no overtopping of public roads in the 100-year event.

- I'm hesitant to advise this as almost all municipalities allow some overtopping in larger storm events on local roads. I plan to prepare a report analyzing the difference of culvert sizing between 1' of overtopping and 0' overtopping.
- Local Road pavement width Section 5.1
 - Local roads were updated to include 2' CL5 shoulders.
 - Collector road was updated to include a footnote "as approved by county engineer". It's likely we'll be working closely with the county for any collector road designed/constructed within the Township.
- Private Roads
 - Section 5.4 was updated to require private roads be designed by a geotechnical professional.
- Road Extensions to subdivision boundary for future extension
 - Section 5.0.A was updated to include "The projection of streets to adjacent areas may be excluded if the estimated volume of through traffic would present a safety concern."
 - I am hesitant to attach a number to this since each case will be different. There will be scenarios where a road extension will have very little access and a larger volume of traffic may be acceptable.
- Setback from sinkholes
 - I reached out to Jeff Broberg, a local geologist, who explained where the sinkhole ordinance came from, email is attached.
 - I will leave the setback unchanged unless advised otherwise.
- Construction/Performance Bonds
 - I reached out to Holmes, Murphy & Associates, the bonding company who bonded Griffin Construction on Millie Meadows III. They advised me it is not difficult for contractors to obtain bonds from surety companies with "Grade A" ratings. From the ~30 surety companies Holmes, Murphy & Associates work with, approximately 2/3 of them have at least Grade A- ratings.
 - Section 6.7 was updated to require bonds be obtained from a surety company with a Grade A- rating or better.

New Business: Density Resolution

The discussion began about the Royal Oaks development in which is comprised of 300 Acres. The lot size average is 3.5 acres. Mayowood Estates has 65 homes in which the average lot size is 2.018 acres. Ed Clark who developed this did get a variance to go below 3.5 acres.

Mr. Handelman stated historically in Rochester Township, the lot sizes have been 3.5 acres. He further stated a developer could drop below that but should have a good reason. Mr. Handelman feels that smaller lots to increase a developer's profits should not be a reason for a variance.

The question was asked why we should require variances on smaller lots since there's no shortage of land in Olmsted County. It was stated that Millie Meadows lots are 2.65 acres. This does result in density and traffic issues plus more wear and tear on the Township roads.

After much discussion, the members recommended the model variance documents provided by Arthur Handelman from the League of Minnesota Cities. It was felt these would be a good template to use as the Zoning Board and Township Board work to develop their own variance application and process.

Brad Lewis made a motion that we approve the package of three documents provided by Mr. Handelman. Laura Laudon seconded the motion. Vote was unanimous.

The subdivision ordinance is still a work in progress, so Laura Laudon made a motion to continue the hearing. Brad Lewis seconded the motion. Vote was unanimous.

Laura Laudon made a motion to adjourn the meeting. Brad Lewis seconded the motion. Vote was unanimous.

The next meeting will be Tuesday, July 18 at 7:00 PM.

Respectfully Submitted,

Laura Laudon