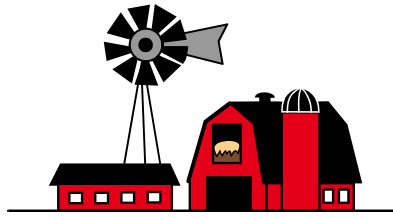


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

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TCPA

Date: 7/6/2023

To: Cascade Township Planning Commission
Cascade Town Board

RE: Matthew Dohrmann – Section 19 - Rezone

Meeting: On Tuesday, July 18, 2023, after 6:00 pm the Cascade Planning Commission will hold a public hearing at the Cascade Town Hall, 2025 75th Street NE, Rochester, MN regarding:

Request: An application has been submitted to change the zoning from A-2 (Agricultural District) to HC (Highway Commercial District) for a 10.00-acre parcel of property owned by Matthew Dohrmann. The parcel has been improved with a residence and two accessory buildings. The agriculturally zoned parcel is shown as “Urban Service” on the Olmsted County Land Use Plan Map. The reason for the request is to allow for the operation of a commercial business on this property. Mr. Dohrmann’s property has been identified as an area to be included in an Orderly Annexation Agreement.

Legal Description/Location:

The property is addressed as 5610 Valleyhigh Road NW. Parcel # 741931031067- 10.00 acres located entirely in the northeast 1/4 of the northwest 1/4 of SECT-19 TWP-107 RANGE-014.

Owner/Applicant:

Matthew Dohrmann, 5610 Valleyhigh Road NW, Rochester, MN 55901

Consulting Engineer:

Short Elliott Hendrickson Inc., 717 Third Avenue SE, Suite 101, Rochester, MN 55904

Enclosures:

- | | |
|----------------------|---|
| 1. Application | 5. Land Use Plan Map |
| 2. Plat/Location Map | 6. Soils CER Map |
| 3. Aerial Photo Map | 7. Soil Type Map |
| 4. Zoning Map | 8. City of Rochester Future Land Use Plan Map |

Reviewers: Rochester/Olmsted County Planning
Olmsted County Health Department
Rochester/Olmsted GIS
Olmsted County Public Works
Olmsted County Soil and Water
Minnesota Energy Resources

Olmsted County Assessor
Minnesota Department of Natural Resources
Minnesota Pollution Control
GGG Engineering
Peoples Cooperative Services
Century Link

Section 4.00 Amendments:

G. General Development Plan

2. When a General Development Plan is Required.

- a. A general development plan is required for any land use plan amendment, zone change, or subdivision of land requiring platting on land located within an Urban Service Area as identified in the Olmsted County Land Use Plan.
 - i. A General Development Plan shall not be required for any portion of an area for which a general development plan has previously been approved by the Board.
 - ii. A General Development Plan may be waived by the Board based on the factors of subsection 2 (b) (1-6).
- b. In the review and approval of a proposed zoning district amendment in the Suburban Development Area, the Planning Commission and the Board shall first determine whether a general land use plan shall be required, based on the following factors:
 1. Consistency with the land use plan policies;
 2. The size of the subject property and parcels adjacent thereto;
 3. The potential for street, surface water runoff and drainage system, and open space connections from the subject property to adjacent property, developed or undeveloped;
 4. The amount of undeveloped land in the vicinity and amount that borders the subject property; whether proposed development is infill development;
 5. Onsite and adjacent property site characteristics including floodplain, shorelands, public waters, bluffland, sand, public streets and street pattern;
 6. Adjacency to the Rochester Urban Service Area.
 7. Sufficiency of public facilities and services serving the proposed development area, and appropriate timing of and location of development.

Staff Review of Need for General Development Plan:

The subject property is currently being used as a residence and a non-conforming home-based business. The property owner wishes to comply with Township Zoning Ordinance by rezoning the parcel to HC. The focus of this application is to allow the property owner to continue the operation of his business at the current location and become a conforming use. The applicant is not proposing any development with this application. Since no development or subdivisions are being proposed, TCPA recommends waiving the requirement of providing a General Development plan.

If any development or subdivisions are proposed in the future, a general development plan will be required.

Staff findings in italic:

1. Consistency with the land use plan policies;

The parcel is identified as being in the Urban Service area on the Olmsted County Land Use Plan Map.

2. The size of the subject property and parcels adjacent thereto;

The subject parcel is 10.00 acres, and the surrounding properties are of varying size. All adjacent parcels are within the City of Rochester's Urban Service area on the Olmsted County Land Use Plan Map. The adjacent parcel to the west is zoned A-2 and is used primarily for residential purposes. The parcels to the east and north are zoned A-2, owned by the City of Rochester and contain a solar field. To the north lies Valleyhigh Rd NW and Rochester city limits.

3. The potential for street, surface water runoff and drainage system, and open space connections from the subject property to adjacent property, developed or undeveloped;

No additional streets are being proposed. Additional stormwater runoff is not anticipated with this application. If additional development is proposed, appropriate agencies shall be contacted for the necessary approvals.

4. The amount of undeveloped land in the vicinity and amount that borders the subject property; whether proposed development is infill development;

The surrounding areas have been identified with a mix of uses to include commercial and business development, mixed use transit-oriented centers, mixed use transit supportive corridors and low density residential.

It is anticipated that the surrounding areas will develop in the near term as identified in the City of Rochester's comprehensive plan. The plan has identified this area for urban expansion within the year 2040.

5. Onsite and adjacent property site characteristics including floodplain, shorelands, public waters, bluff land, sand, public streets and street pattern;

The subject property and adjacent undeveloped properties do not contain floodplain, shoreland, public waters, bluff land or sand. The Olmsted County GIS layer indicates hydric soils on the property but does not indicate deposits of alluvial soils. Alluvial soils are shown to the west on the property owned by the City of Rochester containing the solar farm.

6. Adjacency to the Rochester Urban Service Area.

This area is located entirely within the City of Rochester's Urban Service Area.

7. Sufficiency of public facilities and services serving the proposed development area, and appropriate timing of and location of development.

There is no proposed development at this time. This proposal is to allow for the zone change in order to make a use that is currently non-conforming into a conforming use. Services for the current dwelling currently exist.

Conclusion:

No development is proposed at this time. The owner wishes to comply with Township Zoning Ordinance through the re-zoning procedures, ultimately operating his business as a conforming use in the Highway Commercial District. Staff recommends waiving the need for a general development plan based on the findings listed in this report.

Staff Review of the Zone Change Amendment (Ordinance in regular type, staff recommended findings in italic)

Section 4.00 Amendments:

H. Amendment Findings:

1. The proposal is consistent with the policies of the Olmsted County General Land Use Plan.

Olmsted County's General Land Use Plan defines the Urban Service Area as land in and around the city limits planes for municipal service within the next 25 years. The subject property is identified as being in the City of Rochester's Urban Service Area as identified on the Olmsted County Land Use Plan Map. Additionally, the plan states that any changes in use should be consistent with the city's municipal land use plan.

With city support of Mr. Dohrmann's proposed use, this criterion would be met.

2. The amendment is in the public interest.

Considering the solar farm to the east, the proposed re-zone and use would provide a buffer for the property to the west when urban areas expand in this area.

3. The proposed development is timely based on surrounding land uses, proximity to development, and the availability and adequacy of infrastructure.

This is not a proposed development. However, the proposed use and zoning is commensurate with the long-term planning in this area. The City of Rochester started the West Zumbro Sewer project in May of 2023 to extend sewer services to this area.

4. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood.

Adjacent property is zoned A-2, however the properties located along Valleyhigh Rd NW to the south, adjacent to the subject property, will eventually become mixed use and/or commercial districts. Properties to the north of Valleyhigh Rd NW are within city limits and identified as "Holding District". The Holding District is intended to provide a temporary zoning classification for certain recently annexed lands where the determination of the permanent zoning classification has not been made by the city at the time of annexation. It is reasonable to expect this area to develop

similarly to the properties located along Valleyhigh Rd NW to the west. These properties range in a mix of zoning districts from Light Industrial, Low & Medium Density Residential, Mixed General Use and Business Park.

Given the above information, the proposed zoning classification would be considered appropriate.

5. The proposal does not result in spot zoning.

This proposed re-zone will result in spot zoning. However, the proposed use and re-zone is consistent with the surrounding areas and future zoning and land uses.

6. The proposal is consistent with a General Development Plan for the area, if one exists.

The township will determine if a general development plan is required, otherwise none exists at this time.

Conclusion:

Based on staff review and analysis as listed above, staff recommends approval.