



Olmsted County Planning Department

May 16, 2022

Oronoco Township Planning Advisory Commission

Prepared by: Olmsted County Planning Department Staff

Request: Oronoco Township Zoning District Amendment #OR2022-002ZC by E & K Boelter Trust c/o Tom Boelter. The request is for a zoning district amendment from A-3 Agricultural District to R-1 Low Density Residential District for 79 acres.

Location: The property is located in the W 1/2 of the NE 1/4, Section 34 of Oronoco Township. The property lies East of 18th Ave (County State Aid Highway 112) and West of 11 Ave NW; it is south of 85th St NW and North of Cedar Ridge Subdivision.

Land Use Designation: Suburban Development

ACTION ITEMS

The applicant is requesting approval of the zoning district amendment 79 acres from A-3, Agricultural District, to R-1, Low-Density Residential District.	Planning staff recommends approving the zoning district amendment for 79 acres from A-3, Agricultural District, to R-1 Low Density Residential District.
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BACKGROUND INFORMATION

Background:

The property is located in Section 34 of Oronoco Township. County Road 112 (also known as 18 Ave NW) is on the west side of the property and 11 Ave NW is on the east side. The property received a land use plan amendment by Olmsted County on March 15, 2022, from Resource Protection-Potential Suburban to Suburban Development. This application is being reviewed concurrently with OR2022-001GDP for a general development plan for 29 single-family residential lots.

Land Use

The underlying land use designation of the property is Suburban Development. The R-1 Low-Density Zoning District is intended to be located within that land use designation. The location criteria of Suburban Development areas was reviewed along with the Land Use Plan Amendment that was approved by Olmsted County.

Below are the steps in the development process. The current step is highlighted. The applicant has completed the County Land Use Plan Amendment step and the rest of the approvals, except the final signature on the Final Plat, are all decided by Oronoco Township.

1. Olmsted County for Land Use Plan Amendment-**Completed**
2. Olmsted County for General Development Plan (Concurrent with #1)-**Completed**
3. **Concurrent Oronoco Township applications for the following:**
 - a. **Oronoco Township General Development Plan**
 - b. **Oronoco Township Zoning District Amendment**
4. Oronoco Township Preliminary Plat
5. Oronoco Township for Final Plat
6. Mylars of Final Plat to Olmsted County Board for Final Plat approval after all other approvals from Oronoco Township.

The applicant requests the following:

The zoning district amendment for 79 acres from A-3, Agricultural District, to R-1 Low Density Residential District.

ANALYSIS AND FINDINGS

Staff Findings:

According to Section 4.00 of the Olmsted County Zoning Ordinance The Planning Advisory Commission and the Board of Commissioners shall make the following findings when reviewing a General Development Plan. Staff recommendations are in **bold type**.

1. Proposed land uses are in accordance with the Oronoco Township General Land Use Plan. **The request is consistent with the Oronoco Township General Land Use Plan. The proposed area was identified by Olmsted County for Suburban Development, the properties proximity to major arterial roads and the proximity to other suburban-style development make this an ideal location for suburban-style development.**
2. The amendment is in the public interest; **The property is in the public interest because it is being developed in accordance with, and consistent with the character of the area.**
3. The proposed development is timely based on surrounding land uses, proximity to development and the availability and adequacy of infrastructure: **The development is timely, there are several residential developments within the proximity of the proposed zone change. The County determined the site was consistent with the**

County Land Use Plan and amended the land use from Potential Suburban to Suburban Development to allow the development to go forward. The development is located and will be accessed from the County Road. The County Public Works Department is requiring turn lanes be added to allow safe access to the development. There is a future round-a-bout planned by MnDot for the intersection of 18th Ave (CR112) and Highway 63. The general development plan shows a phased plan for the development.

4. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood: **The general development plan associated with this application shows 29 single-family residential lots developed in a three (3) phase plan. Development will start on the west and move eastwardly. The development is utilizing the existing contours on the site and is similar in size and scope to other developments within the vicinity.**
5. The proposal does not result in spot zoning: **The proposal is not spot zoning because it is consistent with the underlying land use designation as well and other uses within the proximity of the development.**
6. The proposal is consistent with a General Development Plan for the area if one exists: **This request is being reviewed concurrently with a general development plan for the area.**

Staff Recommendation

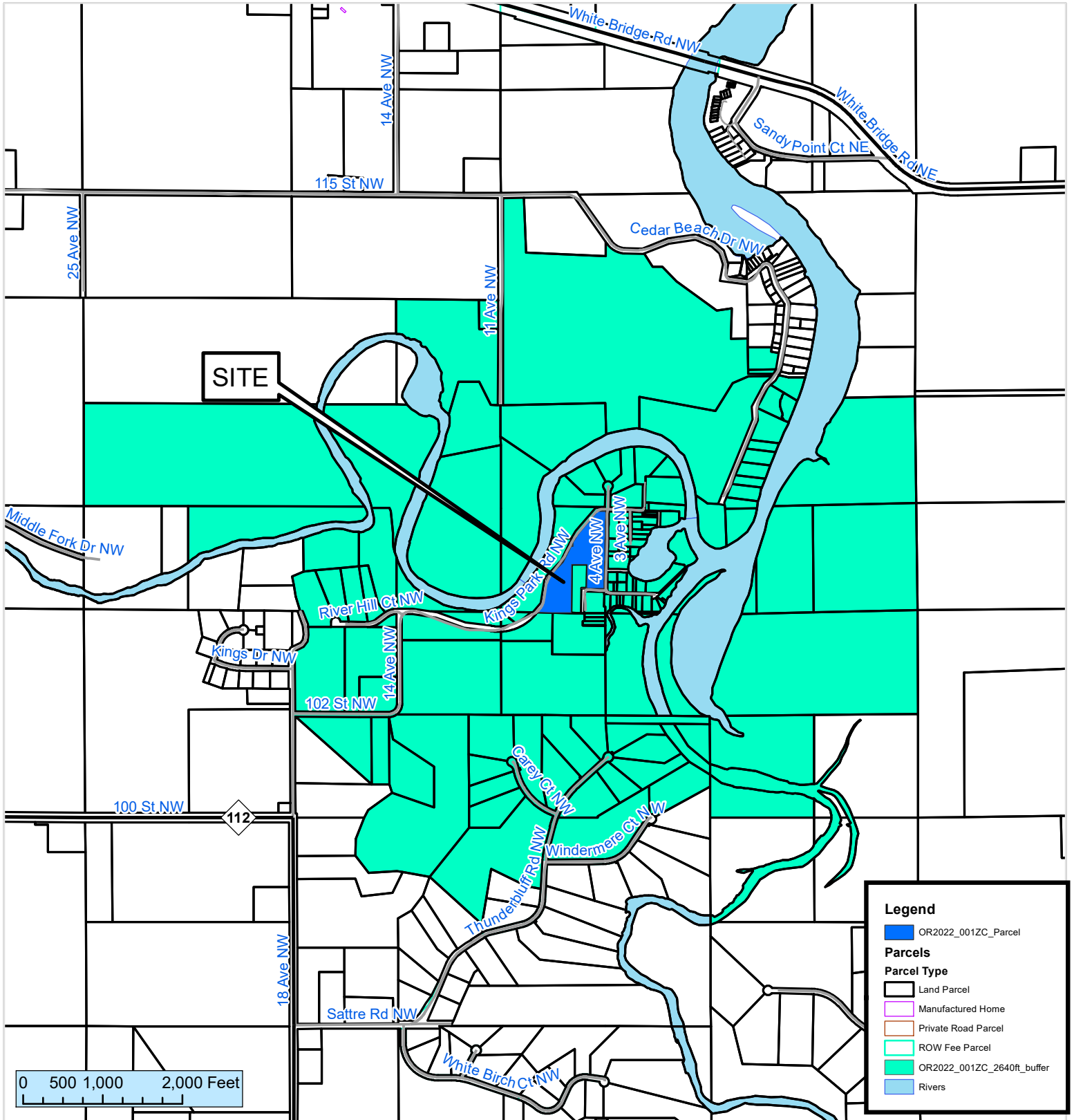
Planning staff's recommended findings support approval of the proposed zoning district amendment for 79 acres in the W ½ of the NE ¼ Section 34 T108N R14W, from A-3, Agricultural District to R-1, Low-Density Residential District.

ATTACHMENTS

1. Applicant Submittals
2. Referral Comments

2640 ft. Notification Area of

Oronoco Zone Change #OR2022-001ZC by Thomas Demarino. The request is to rezone the west 6.38 acre portion of the property from A-3 to R-1. The property currently has split zoning with the west half zoned A-3 and the east half zoned R-1. The property is located in the SW 1/4 of the SW 1/4 of Section 14 in Oronoco Township along Kings Park Rd NW.



This map prepared by the GIS Division, Olmsted County Planning Department. Olmsted County is not responsible for omissions or errors contained herein. If discrepancies are found within this map, please notify the GIS Division, Olmsted County Planning Department, 2122 Campus Drive SE Rochester MN 55904 (507) 328-7100.

Map Date: 03/28/2022

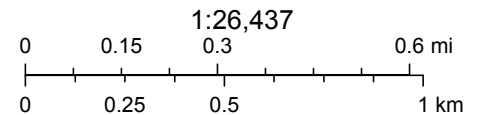


Site Location Map



5/9/2022, 4:08:37 PM

- Centerlines
- <all other values>
- City Street
- County Road
- County State Aid Highway
- Driveway With No Public Access
- Interstate



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Olmsted County, MN GIS Division, Olmsted County, MN

Web AppBuilder for ArcGIS

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33B EAST VETERANS MEMORIAL HIGHWAY KASSON, MN 55944
320 WEST BROADWAY PLAINVIEW, MN 55964
1712 RESTORATION ROAD SW ROCHESTER, MN 55902

MAILING ADDRESS: PO BOX 100 KASSON, MN 55944



507.634.4505 | WSE.ENGINEERING

April 14, 2022

Ms. Kristi Gross

Senior Planner

Olmsted County Planning Department

2122 Campus Drive SE

Rochester, Minnesota 55904

HAND DELIVERED

Re: "Boelter Heights" Section 34, Oronoco Township, Olmsted County

Dear Ms. Gross:

On behalf of our client, Boelter Family Trust, we are submitting a request for a Zone Change on the 78.68 parcel of land in Section 34 Oronoco Township from the A-3 to the R-1. We are also resubmitting the General Development Plan that has been updated per conditions from the Land Use/ General Development plan review that can be made at this time.

The Boelter Family Trust desires to process the zone change at this time but do not have any schedule for future applications

Attached for your review is the following information:

Zone Change:

1. Signed application
2. Check in the amount of \$2,191.40
3. Legal Description with Exhibit
4. Legal Description in word.doc
5. Electronic File pdf

General Development Plan:

1. Signed Application
2. Legal (same as zone change)
3. One full size plan
4. One reduced size plan (11x17)
5. Electronic file pdf

We are requesting to be placed on the May 16, 2022, Planning Advisory Commission Meeting. If you have questions or need additional information, please contact me at: bill.tointon@wse.engineering

Respectfully Submitted,

WSE + Massey Engineering

A handwritten signature in black ink that reads 'William E. Tointon'.

William E. Tointon

Director of Land Development

Cc: Robert Boelter

A handwritten signature in black ink that reads 'Tom Walker'.

Tom Walker

Director of GIS

RECEIVED

APR 14 2022

OLMSTED COUNTY
PLANNING DEPARTMENT

WSE Engineering Services, LTD

www.wse.engineering

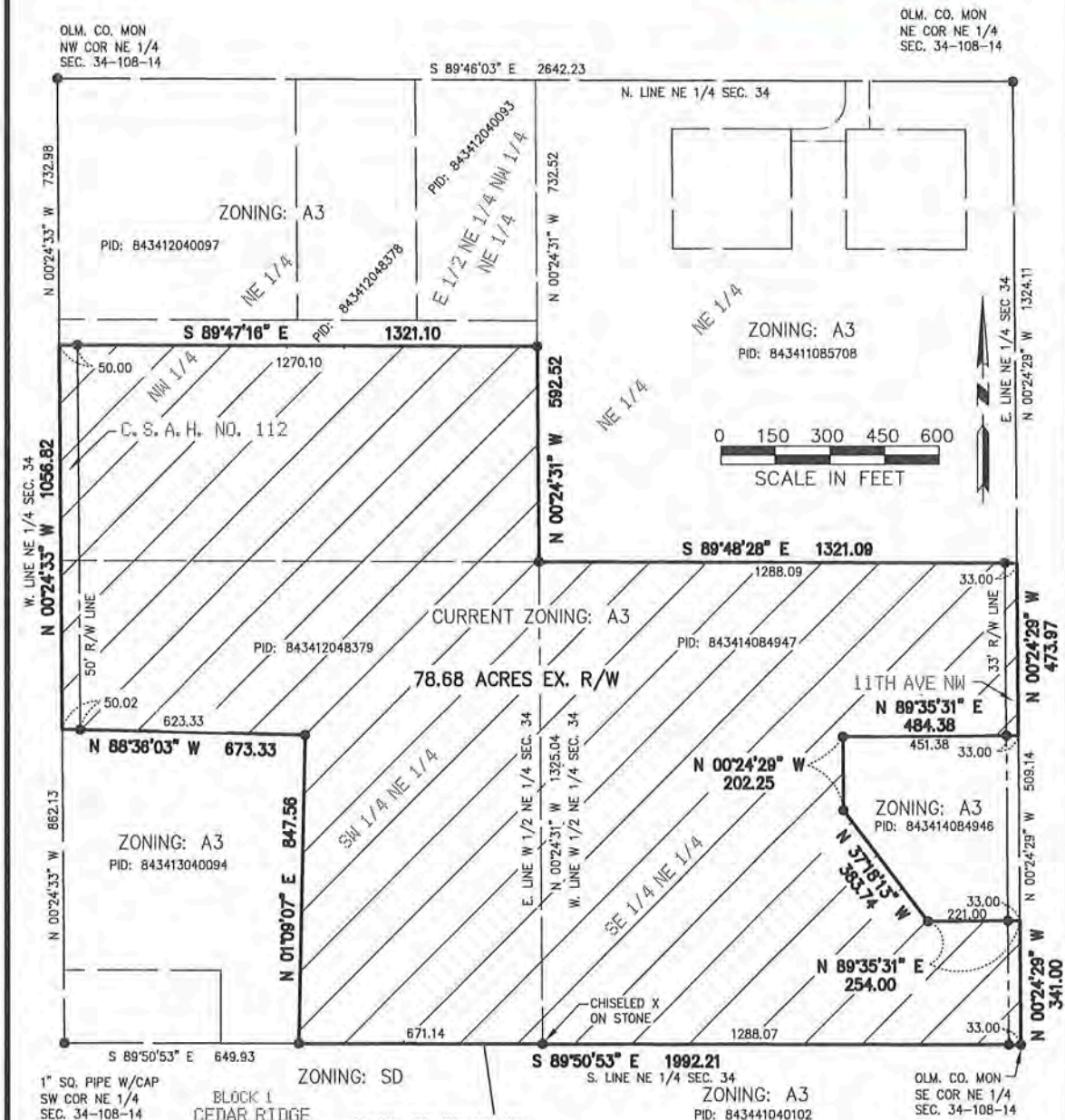
With offices in Plainview, Rochester, and Kasson, MN

ZONE CHANGE EXHIBIT
PART OF NE 1/4
SECTION 34, T 108 N, R 14 W
OLMSTED COUNTY, MINNESOTA

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APR 14 2022

OLMSTED COUNTY
PLANNING DEPARTMENT



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



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ENGINEERING & LAND SURVEYING
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:
E & K BOELTER TRUST
ROCHESTER, MN

**ZONE A-3 TO
ZONE R-1**

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

DATE: 4/7/2022
DWG NO. 35702C01 JOB NO. 3570
DRAWN BY: G.D.Z. SHEET 1 OF 2

RECEIVED

APR 14 2022

ZONE CHANGE EXHIBIT
PART OF NE 1/4
SECTION 34, T 108 N, R 14 W
OLMSTED COUNTY, MINNESOTA

OLMSTED COUNTY
PLANNING DEPARTMENT

DESCRIPTION OF RECORD

Per Limited Warranty Deed, No. A-1467363

The West One-Half of the Northeast Quart (W1/2 NE1/4), Section 34, Township 108 North, Range 14 West, Olmsted County, Minnesota, excepting therefrom the following described parcels;

- a) The East One-Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (E1/2 NE1/4 NW1/4 NE1/4), Section 34, Township 108, Range 14;
- b) Commencing at the Southwest corner of the West One-Half of the Northeast Quarter (W1/2 NE1/2), Section 34, Township 108, Range 14, for a place of beginning, and running thence due North along the West line of said Section a distance of 862.03 feet, thence South 88 degrees 11 minutes 30 seconds East a distance of 673.33 feet to a point in the fence line, thence south 1 degree 33 minutes 40 seconds West a distance of 843.56 feet to a point in the fence line and also the South line of said Northeast Quarter (NE1/4), Section 34, thence North 89 degrees 47 minutes 30 seconds West a distance of 650 feet to the place of beginning, all in Olmsted County, Minnesota.
- c) That part of the North Half of the Northwest Quarter of the Northeast Quarter (N1/2 NW1/4 NE1/4) of Section 34, Township 108, Range 14, Olmsted County, Minnesota, described as follows: Beginning at the Northwest corner of said North One-Half (N1/2); thence North 90 degrees 00 minutes 00 seconds East, along the North line of said North One-Half (N1/2), 990.81 feet to the West line of the East Half of the Northeast Quarter of the description bearings are assumed and based on said North line being North 90 degrees 00 minutes 00 seconds East) along said West line, 662.64 feet to the South line of said North One-Half (N1/2); thence South 89 degrees 58 minutes 50 seconds West, along said South line, 990.81 feet to the West line of the East Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (E1/2 NE1/4 NW1/4 NE1/4); thence South 0 degree 38 minutes 28 seconds East (for purposes of this description bearings are assumed and based on said North 90 degrees 00 minutes 00 seconds East) along said West line, 662.64 feet to the South line of said North One-Half (N1/2); thence South 89 degrees 58 minutes 50 seconds West, along said South line, 990.81 feet to the West line of said North One-Half (n1/2); thence North 0 degrees 38 minutes 28 seconds West, along said West line, 662.98 feet to the point of beginning; excepting therefrom the easterly 345.00 feet thereof; subject to right of way for C.S.A.H. 112 over the westerly 50 feet and right of way for township road over the northerly 33 feet thereof; containing 9.83 acres, more or less, including said right of way.
- d) That part of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 34, Township 108, Range 14, Olmsted County, Minnesota, described as follows: Beginning at the Northwest corner of said Northeast Quarter (NE1/4); thence North 90 degrees 00 minutes 00 seconds East, along the North line of said Northeast Quarter (NE1/4), 990.81 feet to the West line of the East Half of the Northeast Quarter of the Northwest Quarter of the Northeast Quarter (E1/2 NE1/4 NW1/4 NE1/4); thence South 00 degrees 38 minutes 28 seconds East, along said West line (for purpose of this description bearings are assumed and based on the North line of said Northeast Quarter (NE1/4) being North 90 degrees 00 minutes 00 seconds East), 662.64 feet to South line of said East Half (E1/2), thence North 89 degrees 58 minutes 50 seconds East, along said South line, 330.27 feet to the East line of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4); thence South 00 degrees 38 minutes 28 seconds East, along said East line, 70.00 feet; thence South 89 degrees 58 minutes 50 seconds West, 1321.08 feet to the West Line of Northeast Quarter; thence North 00 degrees 38 minutes 28 seconds West, along said West line 732.98 feet to the point of beginning; subject to rights of way for County State Aid Highway 112 over the westerly 50 feet and Township Road over the northerly 33 feet thereof; containing 17.20 acres, more or less, including said rights of way. EXCEPTING THEREFROM the property described in Warranty Deed dated April 7, 1986, and filed for record April 10, 1986 as Document Number 502236 in Book 396 on Page 183 in the office of the Olmsted County Recorder.

TOGETHER WITH:

The Southeast Quarter of the Northeast Quarter of Section 34, Township 108 North, Range 14 West, Olmsted County, Minnesota, EXCEPT that part thereof described as follows:

Commencing at the southeast corner of said Northeast Quarter; thence on an assumed bearing of North 00 degrees 24 minutes 29 seconds West along the east line of said Northeast Quarter 341.00 feet to the point of beginning; thence South 89 degrees 35 minutes 31 seconds West 254.00 feet; thence North 37 degrees 18 minutes 13 seconds West 383.74 feet; thence North 00 degrees 24 minutes 29 seconds West 202.25 feet; thence North 89 degrees 35 minutes 31 seconds East 484.38 feet to said east line; thence South 00 degrees 24 minutes 29 seconds East along said east line 509.14 feet to the point of beginning.

Said Parcel containing 78.68 acres, more or less, excluding right of way.



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 WAS PREPARED FOR THE
 EXCLUSIVE USE OF:
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 ROCHESTER, MN

**ZONE A-3 TO
 ZONE R-1**

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

DATE: 4/7/2022
 DWG NO. 3570ZCD1 JOB NO. 3570
 DRAWN BY: G.D.Z. SHEET 2 OF 2

Referral Agency Comments

Application No: OR2022-002ZC

4/29/2022 **County Public Works**

An access permit application is required for the shown access on County Road 112 (18th Ave NW) that includes the design of the right turn and bypass lane. Access control should be dedicated along the frontage of County Road 112, with the exception of the access opening.

The subdivision shall provide for interconnectivity of subdivisions. At a minimum, a public street connection shall be made to Cedar Crest Ln NW

4/29/2022 **Environmental Resources**

No comment

5/9/2022 **Inspections - Well/Septic**

A Preliminary Plat Review will be required for the wells and septic to be brought to the PAC for recommendation to the County Board.