

**City of Oronoco**  
**Thursday, August 13, 2020**  
**P&Z Meeting @ 7:00 pm**  
**Zoom Meeting & In-person**

Zoom Meeting - P&Z Committee, Thursday, 13 Aug 20, 7:00 PM  
Time: Aug 13, 2020 07:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/6223919011>

Meeting ID: 622 391 9011

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- I. **CALL TO ORDER:** At 7:00 PM meeting was called to order by Paul Jannetto
- II. **ROLL CALL:**
  - i. Committee Members Present: Paul Jannetto (Chair), Mark Johnson (Vice-chair), Trish Shields, Carl Krause, and Jim Richards
  - ii. Late: NA
  - iii. Absent: Scott Sorenson and Jose Cornejo
- III. **APPROVAL OF MINUTES:** Motion made by: Jim Seconded by: Trish and was unanimously approved.
- IV. **APPROVAL OF AGENDA:** Motion made by: Carl Seconded by: Jim and was unanimously approved.
- V. **AGENDA ITEMS:**
  - A. Public hearing at 7:05 PM Tom Gauthier for lot split to build single family home in Riverwood Hills V development (on Riverwood Drive SW) prior to whole phase V project.
    - Tom Gauthier spoke on his intention to do the lot split and build a single family home. At this time, he has no further development plans. The GDP does have and show a road connecting to 100<sup>th</sup> street. He agrees the subdivision needs a second road, but it is not being proposed now. He will do that when the future development occurs and final layout or location of road would be established. Right now, he just wants to split the lot off and build 1 home. He agrees to all of Joe Palen's concerns with the exception of the second road (151.28 A11). He agrees to the utility and drainage easements, water/sewer in 151.282 and 151.283 respectively.

- Paul Jannetto acknowledged that the P&Z members received all the comments submitted by the Riverwood Hills HOA members (emails that Steve McNamara forwarded). It included emails from Frank Roberts, Marcia Krieger, Sara Harstad, Jackie and Kurt Bakken, Randy and Deb (Anderson) Funkhouser, David and Cristine Allmer, Todd Pederson & Julie Kohls, Jeff Gisi, Skyler Breitenstein, and Wendy Phillips.
- Steve McNamara spoke (1115 Riverwood Dr SW) spoke first and stated he wasn't against the lot split or the development. The issue is the 79 homes and high traffic flow with one entrance/exit into the subdivision. With FedEx trucks, pedestrians (no sidewalks), residents walking dogs, kids it was a safety hazard. In addition, past incidents (ambulance and fire trucks) have shown it can cause delays to reach homes and block traffic completely. The subdivision needs two paved contiguous through streets since they currently violate code 151.281 A11 (over 500 vehicle trips).
- Leanne Lokken (1075 Riverwood Ln SW) spoke next and echoed Steve McNamara's concern over the lack of a secondary paved contiguous street which is needed for safety and required by the city code. She urged P&Z and City Council to protect Riverwood Hills.
- Marcia Krieger (1095 Riverwood Drive SW) had two issues. The first is it went against the ordinance 151.281 A11 and it requires two paved roads for egress/ingress into the subdivision. She opposed the lot split.
- The public hearing was then closed at 7:16 PM after 3 calls for any additional comments. P&Z then opened up its discussion with Tom.
- Trish asked if the home would conform to any subdivision codes (e.g. Riverwood Hills 4 HOA/guidelines upon which Tom said yes it could.
- Paul then explained that the city attorney (Michael Flaherty) had been requested to give a legal opinion and resolutions to the city on this lot split request and to address concerns from the city engineer Joe Palen.
  - Paul summarized the attorney's opinion in that the city has 2 sections in our code. Section 151.002 on lot splits and section 151.250-151.290 on subdivision code. City's often have separate regulations for minor subdivisions (or lot split process) so the owners and city don't have to go through full subdivision process. However, both require things to comply with the land management code. The city attorney agreed that the lot split application would have to comply with 152.282 (easements) and 152.283 sewer and water utilities. Specifically, if PZ would recommend that city council approve the lot split it would have to agree to all of the following conditions:
    1. The fee title owner of Parcel A must provide a ten foot wide permanent utility and drainage easement in favor of the City of Oronoco, no less than 10-feet wide on the west and south lot lines and no less than 5-feet wide along the north and south lot lines of Parcel A.
    2. The fee title owner of Parcel A must provide a permanent roadway easement in favor of the City of Oronoco, directly to the west of Parcel A to the south lot line of Parcel A.
    3. The fee title owner of Parcel A must enter into a development agreement with the City for the construction of roadway and utility infrastructure to extend Riverwood Drive SW to the south edge of Parcel A.
    4. The fee title owner must grant the City a 20-foot wide permanent utility in favor of the City, in a location approved by the City Engineer, to connect city water service to the future residential home anticipated for development on Parcel A. The costs associated with this connection must be paid by the fee title owner of Parcel A, including the water connection

charge and water availability charge.

5. The fee title owner must connect the property to a septic system that meets guidelines of the MPCA, Olmsted County, and the City of Oronoco, and must obtain governmental approvals for the same prior to commencing construction. approved
  - However, the city attorney also stated that 151.281 A11 (street layouts) wording that required “a minimum of at least two paved contiguous (through) streets serving a development that will generate over 500 vehicle trips to ensure safety...” did not apply to this lot split application. Specifically, the plain language of this ordinance linked the number of trips that a development creates to the number of roads that development must be served by. Because the Pine Island property isn’t located within any development including Riverwood Hills 4<sup>th</sup>, it would not be subject to this code provision.
  - Since this last issue (151.281 A11) was the key issue for both the residents and the entire P&Z committee for safety reasons, Paul did ask if Tom Gauthier would consider adding in the second road to 100th street, but just apply the base and one top coat (not the final coat). The road could be finished once the full development was completed. However, Tom stated while he agreed a road was needed he would not put in the road since the development plans were 7 years old and he didn’t have someone who wanted to develop it now. The layout and location of the road could change and it would be very expensive to put in and then remove/move the roadway later.
  - PZ committee members discussed they really needed in person clarification from the attorney on this 151.281A11 issue to make a final decision.
    - **Motion: Carl made a motion to postpone the vote until the September meeting and we get clarification from the city attorney specifically on 151.281 A11 in person. It was seconded by Jim, and unanimously approved. Jerilyn should send the applicant a 60 day extension letter and another public hearing is not required per the city attorney’s email.**

**B. Questions/Discussion with P&Z regarding a potential future request to rezone property (636 Vintage Road) from Chris Shanahan.**

- Chris Shanahan (1224 W Center St Rochester MN) wanted to get input from P&Z on a piece of property (636 Vintage road) which is zoned B2 to be rezoned R1 so he could build a home there. He wants to know if it’s possible to rezone before he puts an offer on the property.
- The committee warned Chris about spot zoning. Instead the committee recommended he put an offer on the property that was contingent on it being able to be rezoned residential (R1). Trish also recommended he keep the front part B2 and the back part further away from the highway as residential. It’s a 10+ acre property and businesses would prefer highway visibility/access and he could potentially make some money on the front part
- Chris thanked the committee for its comments and suggestions.

**C. Discuss MN state tiny home ordinance and merge with Oronoco’s proposed tiny home code**

- Paul walked the PZ committee through the updates to make the code consistent with the MN 2020 code and appendix Q which includes tiny home code. The committee made edits and will now recommend it be reviewed by the building inspectors (Tom Thompson & Roger Pahl) for comments/suggested edits. It can then come back to the committee in September for final edits and recommendation to city council.

**VI. ADJOURNMENT:** 9:00 PM Carl made a motion to adjourn. It was seconded by Trish and unanimously approved.