

**From:** [gpete1951@aol.com](mailto:gpete1951@aol.com)  
**To:** [Hartman, Larry \(COMM\)](#)  
**Subject:** Minnesota Energy proposed pipeline PUC Docket #15-858  
**Date:** Tuesday, April 12, 2016 4:08:27 PM

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Dear Mr. Hartman

I wanted to follow up with our conversation earlier today stating our continued concerns regarding the preferred route of Minnesota Energy proposed pipeline PUC Docket #15-858 as it relates to crossing our property in Section 27, Rochester Township, Olmsted County. Minnesota Energy sent me a more detailed map this morning which has much greater detail than the map I was looking at yesterday. I was in mistaken yesterday as to exactly where the proposed line was crossing our property. After reviewing the new map the pipeline is shown crossing in the middle of the development planned by Westridge Hills Corp. This would effectively prevent the installation of city utilities North of the pipeline. Unless the line is very deep it will affect the placement of Sanitary Sewer, Water, and Stormwater pipes in the middle of the development. I was told your line is typically about 54" from the top of the pipe to ground level. All of the referenced utilizes are buried deeper than 54" to top of grade. This proposal route will not work for Westridge Hills Corp without effectively shutting down the development of the property. It is our experience with this proposed route that rock will be encountered between two and three feet from the surface almost the entire length of the proposed pipeline.

Thank you  
Eugene Peters  
Westridge Hills Corp  
1320 Wicklow Lane SW  
Rochester, MN 55902

507 282 5985  
[gpete1951@aol.com](mailto:gpete1951@aol.com)

## Hartman, Larry (COMM)

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**From:** gpete1951@aol.com  
**Sent:** Monday, April 11, 2016 5:34 PM  
**To:** Hartman, Larry (COMM)  
**Subject:** Fwd: Minnesota Energy Proposed Pipeline Project (Docket 15-858) Westridge Hills GDP 2007  
**Attachments:** Westridge Hills GDP 2007.pdf

-----Original Message-----

From: GPETE1951 <GPETE1951@AOL.COM>  
To: larry.hartman <larry.hartman@state.mn.us>  
Sent: Mon, Apr 11, 2016 5:31 pm  
Subject: Minnesota Energy Proposed Pipeline Project (Docket 15-858) Westridge Hills GDP 2007

Mr. Hartman

Thank you for taking time to visit about this project today. As it turns out we did submit our General Development Plan to Olmsted County in 2007. Attached you will find the staff report along with some depictions of the area. Because the map is very large I will be sending that to you by mail tomorrow. I also wanted to more clearly state our preference for the proposed pipeline. Our view is that this pipeline should be routed along the 48th Street Right of Way. If additional land is needed to make this feasible we are willing to work with Minnesota Energy along this route. We would not be willing to negotiate along the route which crosses the middle of our property.

Thank you

Eugene Peters (treasurer)

Westridge Hills Corp  
1320 Wicklow Lane SW  
Rochester, MN 55902

507 282 5985  
[gpete1951@aol.com](mailto:gpete1951@aol.com)

**From:** [gpete1951@aol.com](mailto:gpete1951@aol.com)  
**To:** [RDlenton@minnesotaenergyresources.com](mailto:RDlenton@minnesotaenergyresources.com); [Hartman, Larry \(COMM\)](#)  
**Subject:** Minnesota Engery proposed pipeline PUC Docket # 15-858  
**Date:** Monday, April 11, 2016 3:28:24 PM

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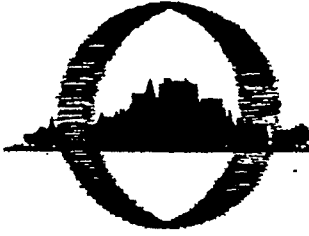
Minnesota Energy

Subject: Proposed Minnesota Energy  
pipeline  
04/11/16

Dear Rory

I'm writing this letter on behalf of Westridge Hills Corp. Thank you for sending me the map showing the route of the proposed natural gas line by Minnesota Energy. Thank you also for clarifying just where the proposed route is going. The map that was originally sent by Minnesota Energy was very general in nature. From that map we couldn't tell that the proposed line actually cuts across the Westridge Hills property located in Section 27 of Rochester Township. Because we were under the impression that the proposed line was confined to the ROW on 48th St. SW we have up until now had no comments. Now that we know where the line is actually going we have several objections. They are:

The identified preferred route of the line runs thru our most valuable property. This land was bought for development purposes by Westridge Hills Corp over 20 years ago. We currently own 165 acres in section 27. The boundaries of the property are 48th St SW on the South, 40th St SW on the North and 11th Ave SW on the East. We have created a general development plan for this property which is comprised of single family residential lots, a church site, commercial land, a regional detention pond and city parkland. The proposed route runs directly thru the back lots of our residential portion. These are the premium single family lots in this development with many 100+ year old trees in the direct path of this pipeline. Each of these lots are projected to sell for \$250,000 per lot. Any removal of the trees within these lots will greatly diminish each lot's value. If this becomes the chosen route we will take the same position as our neighbor immediately east of this property. That any attempt to route the pipeline directly thru our property and take the land by eminent domain will be opposed. Our recommendation is to place the pipeline in the current ROW where other utilities are located.

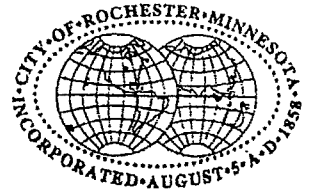


**ROCHESTER-OLMSTED PLANNING DEPARTMENT**

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF  
*Olmsted*

[www.olmstedcounty.com/planning](http://www.olmstedcounty.com/planning)



**TO:** City Planning and Zoning Commission

**FROM:** Mitzi A. Baker, Senior Planner

**DATE:** February 22, 2007

**RE:** General Development Plan #06-275 by Westridge Hills, Inc. The applicant proposes to develop 79.31 acres of land for single family lots and a church on land located north of 48<sup>th</sup> Street SW, west of 11<sup>th</sup> Avenue SW and north of Willow Creek Golf Course to be known as Westridge Hills.

**NOTE:** This item was continued several times to provide the applicant time to revise the Plan to incorporate parkland.

**Planning Department Review:**

**Applicant/Owner:** Westridge Hills, Inc.  
1320 Wicklow Lane SW  
Rochester, MN 55902

**Consultants:** McGhie & Betts, Inc.  
1648 Third Avenue SE  
Rochester, MN 55904

**Proposed Use:** The Plan proposes single family development, public roadways and a church.

**Land Use Plan:** This property is located within the boundaries of the Rochester Urban Service Area Land Use Plan. The land use designation for this area is "Low Density Residential" uses.

**Zoning:** The property is currently zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map, in Rochester Township.  
  
Prior to development, the property will need to be annexed to the City of Rochester. Upon annexation the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map, unless a petition is submitted for other consideration.

**Roadways:** There are several new public roadways planned within this development.  
  
Controlled access will be required along the entire frontage of 48<sup>th</sup> Street SW, with the exception of any public street access location approved for



the GDP, and along both sides of the proposed new north/south public road extending back from 48<sup>th</sup> Street SW, as specified in the ROCOG 2035 Transportation Plan.

**Pedestrian Facilities:**

During the platting process, the Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections within the Outlots.

The Owner is obligated for providing additional right-of-way for a 10' wide bituminous pedestrian path along the entire frontage of the property abutting 48<sup>th</sup> Street SW, unless otherwise determined. The Owner shall construct a concrete sidewalk along both sides of all new streets within the development.

**Drainage:**

A Grading and Drainage Plan approval is required prior to final plat submittal.

**Wetlands:**

Minnesota Statutes now require that all developments be reviewed for the presence of wetlands or hydric soils. Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.

**Decorah Edge:**

This property does not appear to be within the Decorah Edge setting.

**Public Utilities:**

The property is within the Willow High Level Water System Area, which is temporarily being served from the Airport High Level Water System through a pressure reducing station. The existing temporary system has limited capacity to serve this area.

The static water pressures within this area will temporarily range from 45 to 84 PSI (current temporary system) depending on final grades. The future static pressures in this area will range from 56 to 99 PSI (ultimate system). The builders must install pressure-reducing devices near the domestic water meters as required by the MN Plumbing Code in the higher pressure areas (buildings with MFF below approximate Elevation 1180) based on the future pressures.

The water main in the cul-de-sac streets must be looped and water mains must be extended to adjacent properties per RPU-Water Division requirement.

Execution of a City-Owner Contract and dedication of any applicable off-site public easements is required prior to construction of any public infrastructure to serve this development.

**Parkland Dedication:**

The proposed development will have parkland dedication of  $\pm 2.0$  acres. The Park Department recommends that dedication be in the form of a combination of 1.14 acres of land, use of the existing SW dedication credits previously established by the applicant and the balance in the form of cash in lieu of land.

The size, location and configuration of the 1.14 acre park on the REVISED Plan will allow the Westridge Hills dedication to be combined with possible future dedication from the Thone property and possible

development of church open space.

- Report  
Attachments:
1. Location Map
  2. Reduced Copy of General Development Plan
  3. Proposed General Development Plan Narrative
  4. Referral Comments

### **Staff Suggested Findings and Recommendation:**

Paragraph 61.215 of the Rochester Zoning Ordinance and Land Development Manual lists the criteria for approval of a general development plan. Below are staff suggested findings.

- Criteria A. The proposed land uses are generally in accord with the adopted zoning map. If the general development plan is being processed concurrently with a rezoning request, the general development plan and the rezoning request must be consistent with the comprehensive plan. If the general development plan is being processed concurrently with an amendment to the land use plan map and a rezoning request, the land use plan map amendment, rezoning request and general development plan must be consistent with the policies of the comprehensive plan. If there is inconsistency between these documents, the means for reconciling the differences must be addressed.

*This GDP proposes low density residential development, within the R-1 zoning district. This is consistent with the land use designation for the property. Prior to development, the property shall be annexed to the City of Rochester. Upon annexation approval, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.*

- Criteria B. The proposed development, including its lot sizes, density, access and circulation are compatible with the existing and/or permissible future use of adjacent property.

*The density and lot sizes for the development appear consistent with the Land Use Plan.*

*During the platting process, the Owner shall be required to dedicate any mid-block pedestrian connections on separate Outlots and construct the required pedestrian path connections within the Outlots.*

- Criteria C. The mix of housing is consistent with adopted Land Use and Housing Plans.

*The development density is consistent with a Low Density Residential land use designation of the Land Use Plan. The GDP is consistent with the Housing Plan and the standards for the physical and social environments of residential neighborhoods.*

- Criteria D. The proposed plan makes provisions for planned capital improvements and streets reflected in the City of Rochester's current 6-Year Capital Improvement Program, adopted Thoroughfare Plan, the ROCOG Long-Range Transportation Plan, Official Maps, and any other public facilities plans adopted by the City. Street system improvements required to accommodate proposed land uses and

projected background traffic are compatible with the existing uses and uses shown in the adopted Land Use Plan for the subject and adjacent properties.

***Off site improvements to transportation facilities will be required, and may include turn lanes and by-pass lane. Other public facilities will need to be extended and/or improved to serve the property.***

***Additional right-of-way will need to be dedicated for 48<sup>th</sup> Street SW at the time of platting and access control will need to be dedicated along 48<sup>th</sup> Street and along the new proposed intersecting public roadway. Pedestrian facilities will be required within the development and along 48<sup>th</sup> Street.***

**Criteria E.** On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance.

1. Street system adequacy shall be based on the street system's ability to safely accommodate trips from existing and planned land uses on the existing and proposed street system without creating safety hazards, generating auto stacking that blocks driveways or intersections, or disrupting traffic flow on any street, as identified in the traffic impact report, if required by Section 61.523(C). Capacity from improvements in the first 3 years of the 6-year CIP must be included in the assessment of adequacy.

***Off site improvements to transportation facilities will be required, and may include turn lanes and by-pass lane. Other public facilities will need to be extended and/or improved to serve the property.***

***Additional right-of-way will need to be dedicated for 48<sup>th</sup> Street SW at the time of platting and access control will need to be dedicated along 48<sup>th</sup> Street and along the new proposed intersecting public roadway. Pedestrian facilities will be required within the development and along 48<sup>th</sup> Street.***

2. Utilities are now available to directly serve the area of the proposed land use, or that the City of Rochester is planning for the extension of utilities to serve the area of the proposed development and such utilities are in the first three years of the City's current 6-Year Capital Improvements Program, or that other arrangements (contractual, development agreement, performance bond, etc.) have been made to ensure that adequate utilities will be available concurrently with development. If needed utilities will not be available concurrent with the proposed development, the applicant for the development approval shall stipulate to a condition that no development will occur and no further development permit will be issued until concurrency has been evidenced.

***The property is within the Willow High Level Water System Area, which is temporarily being served from the Airport High Level Water System through a pressure reducing station. The existing temporary system has limited capacity to serve this area.***

*The static water pressures within this area will temporarily range from 45 to 84 PSI (current temporary system) depending on final grades. The future static pressures in this area will range from 56 to 99 PSI (ultimate system). The builders must install pressure-reducing devices near the domestic water meters as required by the MN Plumbing Code in the higher pressure areas (buildings with MFF below approximate Elevation 1180) based on the future pressures.*

*The water main in the cul-de-sac streets must be looped and water mains must be extended to adjacent properties per RPU-Water Division requirements.*

*There are inadequate on and off site public facilities, specifically Public Roadways, Sanitary Sewer, Water, and Storm Water Management Facilities, to accommodate the development of this Property. No development will be allowed to occur until the City Council has determined that all required public facilities are adequate for said development. Alternatively, the developer may request to join with the City in making these inadequate public facilities adequate for said development, and may enter into a development agreement, prior to Final Plat submittal, that outlines the developer's and City's obligations related, but not limited to: access, stormwater management (including any obligations for off-site facilities), transportation improvements (including any off-site improvements necessary to accommodate this development), pedestrian facilities, contributions for existing & future public infrastructure, and the extension of public utilities to abutting properties where applicable.*

*Execution of a City-Owner Contract and dedication of any applicable off-site public easements is required prior to construction of any public infrastructure to serve each phase of this development.*

3. The adequacy of other public facilities shall be based on the level of service standards in Section 64.130 and the proposed phasing plan for development.

*Detailed construction plans will need to be approved for all infrastructure improvements.*

*This development will need to be phased to provide concurrence with adequate public facilities.*

- Criteria F. The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified.

*Grading and drainage plans and construction plans will be required for development and platting of this property, which will require further examination for compliance with applicable regulations.*



- Criteria G.** Wetlands and Edge Support Areas (as defined in Chapter 59) will be managed consistent with Chapter 59 and, where applicable, in such a way as to maintain the quality and quantity of groundwater recharging lower aquifers and to protect discharge, interflow, infiltration, and recharge processes taking place; provided, however, that the Council may waive this requirement under the provisions of Chapter 59.

*Minnesota Statutes now require that all developments be reviewed for the presence of wetlands or hydric soils. Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.*

- Criteria H.** The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels.

*The lot and block layout for the development appears generally consistent with applicable regulations and will be reviewed in detail at the time of platting.*

- Criteria I.** If the eventual platting of the area involves approval of a Type III Land Subdivision Permit, the proposed development must satisfy one of the following categories of development:

1. A development bounded on all sides by arterial or higher level streets, streams or other topographic constraints, existing development, land already included in an approved General Development Plan, or permanent open space that limits the inclusion of other abutting lands;
2. A development with adequate public facilities and constituting the entire remaining service area of a major public facility improvement (such as a trunk sewer or water tower) that has been identified as a project in the Capital Improvement Program;
3. A development that consists of at least 80 acres in land area regardless of ownership or interest, and consists of all lands for which the applicant has ownership or interest; or
4. A development for which a development agreement has been executed by the owner and the city for the entire property included in the proposed general development plan. The development agreement must have been drafted based on the development of the property occurring as proposed in the general development plan.

*This GDP includes 79.31 acres of land; rounding up the fraction of an acre to the next whole, the GDP meets criterion 3 above. Though the GDP does not include all land under the ownership of the applicant, the abutting parcels are divided from this one by natural features and topographic constraints.*

**Recommendation:**

The applicant is requesting approval of this GDP be extended from 2-years to 5-years, under Section 62.126. This request will need to be acted upon by the Rochester City Council.

Based on the above criteria, staff would recommend that the following conditions should be imposed in order to assure compliance with the Rochester Zoning Ordinance and Land Development Manual:

1. *The proposed development will have parkland dedication of  $\pm$  2.0 acres. The Park Department recommends that dedication be in the form of a combination of 1.14 acres of land, use of the existing SW dedication credits previously established by the applicant and the balance in the form of cash in lieu of land.*
2. *At the time of platting, access control will be required along the entire frontage of 48<sup>th</sup> Street SW, with the exception of any public street access location approved for the GDP, and along both sides of the proposed new public street extending back from 48<sup>th</sup> St. SW, as specified in the ROCOG 2035 Transportation Plan.*
3. *The Owner is obligated for providing additional ROW and/or an easement for a 10' wide bituminous pedestrian path along the entire frontage of the Property abutting 48<sup>th</sup> St. SW. Owner shall construct a concrete sidewalk along both sides of all new streets within the development.*
4. *Static water pressure within this area will range in the mid 80' PSI depending on final grades. The builders shall install pressure-reducing devices near the domestic water meters as required by the MN Plumbing Code. Water main in the cul-de-sacs must be looped and water main must be extended to adjacent properties per RPU's requirements.*
5. *Turn lane and bypass lane will be required. The Developer is responsible for all costs associated with development of turning and bypass lanes.*
6. *Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.*
7. *There are inadequate on and off site public facilities, specifically Public Roadways, Sanitary Sewer, Water and Storm Water Management Facilities, to accommodate the development of this Property. No development will be allowed to occur until the City Council has determined that all required public facilities are adequate for said development. Alternatively, the developer may request to join with the City in making these inadequate public facilities adequate for this development, and may enter into a development agreement, prior to Final Plat submittal, that outlines the developer's and City's obligations related, but not limited to: access, stormwater management (including any off-site improvements necessary to accommodate this development), pedestrian facilities; contributions for existing & future public infrastructure, and the extension of public utilities to abutting properties where applicable.*

**NOTE:**

The property will need to be annexed to the City of Rochester prior to Final Plat approval and development.



## ROCHESTER PARK AND RECREATION DEPARTMENT

February 13, 2007

TO: Mitzi Baker  
Planning

RE: Westridge Hills  
General Development Plan #275 (REVISED)

The proposed development will have parkland dedication of  $\pm$  2.0 acres. Park Department recommends that dedication be in the form of combination of 1.14 acres of land, use of existing SW dedication credits previously established by the applicant and the balance in the form of cash in lieu of land.

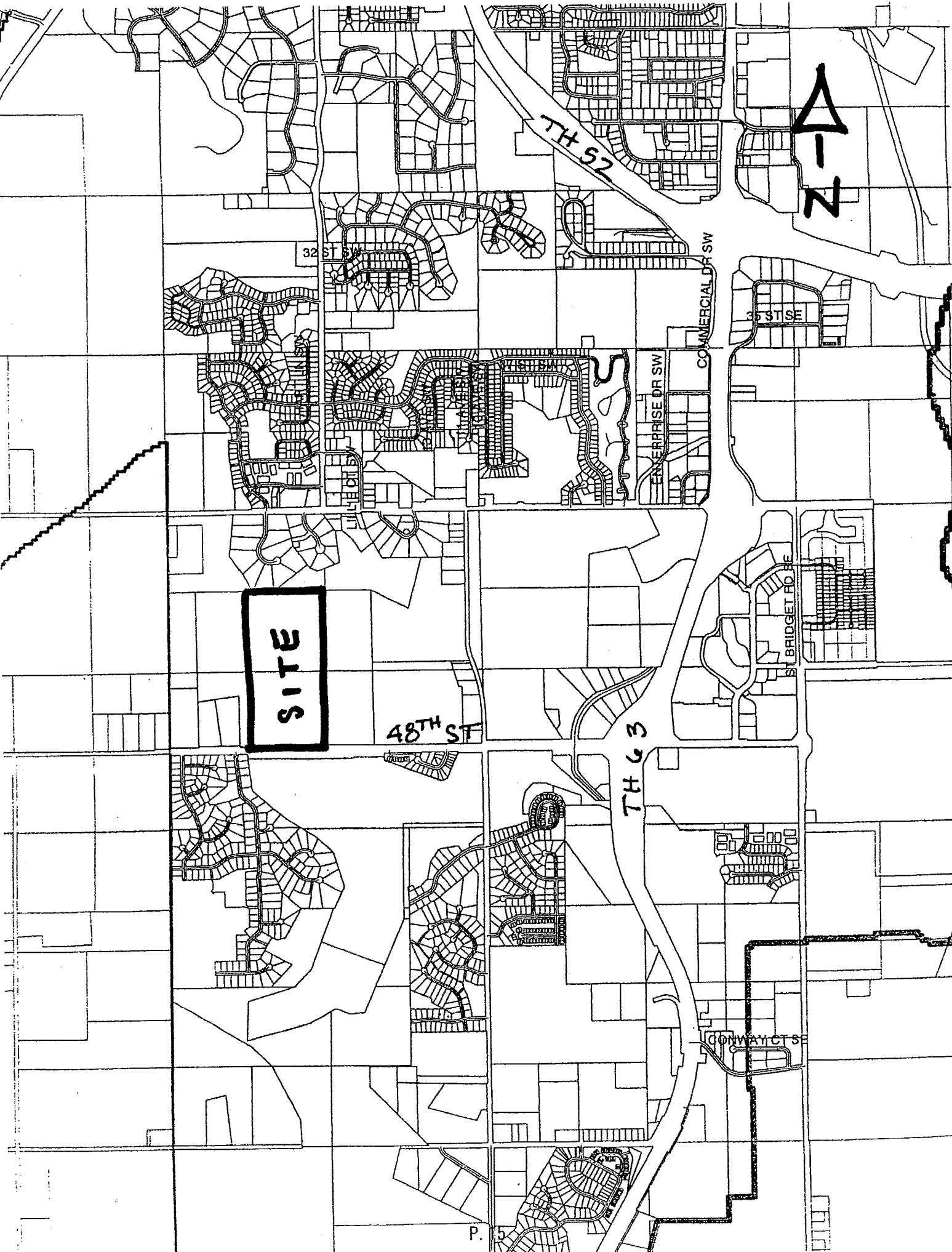
The size, location and configuration of the 1.14 acre park shown on the revised plan is acceptable to the Park Department.

The park location will allow the Westridge Hills dedication to be combined with possible future dedication from Thone property and possible development of church open space.

*MB*  
2-13-07

Cc: Bill Tointen, MBI





**SITE**



48TH ST

TH 52

TH 63

32 ST SW

35 ST SE

ENTERPRISE DR SW

COMMERCIAL DR SW

ST BRIDGET RD SE

CONWAY CT SE