

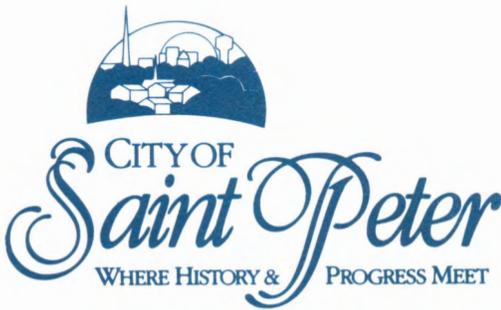
**CITY OF SAINT PETER, MINNESOTA  
AGENDA AND NOTICE OF MEETING**

Regular Workshop Session of Monday, May 18, 2015  
Library Meeting Room – 5:30 p.m.  
601 South Washington Avenue

- I. **CALL TO ORDER**
- II. **DISCUSSION**
  - A. Animal Impound Contract Update
  - B. Western Edge Development
  - C. Upcoming Council Tour Schedule
  - D. Others
- III. **ADJOURNMENT**

Office of the City Administrator  
Todd Prafke

TP/bal



## Memorandum

**TO:** Honorable Mayor Strand  
Members of the City Council

**DATE:** 5/15/2015

**FROM:** Todd Prafke  
City Administrator

**RE:** Animal Impound Contract

### ACTION/RECOMMENDATION

None needed. For your information and discussion only.

### BACKGROUND

Kind Veterinarian Clinic has partnered with the City for many years to provide housing and medical services for impounded animals. The Clinic has proposed an updated contract with slightly higher prices. The contract is substantially similar to the contract we currently have in place and the cost changes they are proposing are very modest.

While Kind's has not provided the notice required as part of the current contract, they have been excellent partners and have provided wonderful service. The proposed contract is attached for your review and includes four fee increases which are shown on the chart below:

<u>SERVICE</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Boarding	\$11.00	\$11.50	\$11.90	\$12.25	\$12.70
Quarantine	\$11.00	\$11.50	\$11.90	\$12.25	\$12.70
Cat Euthanasia	\$60.00	\$61.80	\$63.70	\$67.60	\$69.60
Dog Euthanasia	\$75.00	\$77.25	\$79.60	\$84.50	\$87.00

We have not re-bid the contract, nor done a request for other proposals due in part to the nature of the service, Kind's location within the City, and the other costs we would likely incur with a location that was outside the City. In other words, we avoid a lot of expenses by not having to transport animals out of town and there are no other providers within our community at this time. Kind's has continued to provide competitive prices even though they have a substantial competitive advantage due to their location.

I do not believe these fee increases will be a substantial negative driver in our budget, but it will necessitate a small change in the City's animal fees for the 2016 year. And while this will cost more, I believe the fees will cover the cost for this year if we continue the high adoption rates. The current program operates at a very low cost to the City as adoption fees pay almost all costs.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal

## **Agreement for Impoundment Services**

Kind Veterinary Clinic

109 W. Grace St.

St. Peter, MN 56082

This agreement, made and entered into by and between the City of St. Peter, hereinafter referred to as "City" and Kind Veterinary Clinic, PA, a Minnesota professional corporation, hereinafter referred to as "Veterinarian". Now, therefore, in consideration of the mutual promises contained herein, and other good and valuable consideration, the parties hereby agree as follows:

### **I. Services to be Performed by Veterinarian**

**A. Impound Services.** Veterinarian shall perform animal impound services for the City on a non-exclusive basis. Such impound services shall include:

1. Adequate and sanitary facilities for the clean and humane impoundment of dogs and cats which have been impounded by the City.

2. Provide for the impound animal's nutritional and exercise needs.

**B. Impound Period.** The Veterinarian shall impound the animal for a period of five business days during which the Veterinarian's place of business has been open to the public for at least four consecutive hours on each day. Thus, the actual impound period may be longer than five days when the impound period extends over a day in which Kind Vet Clinic is not open for business. In the event the impounded animal has not been claimed by its owner during the impound period, the Veterinarian shall be allowed to euthanize the animal.

**C. Adoption.** After the applicable redemption period has expired, the Veterinarian, in its discretion, may hold the animal for adoption rather than euthanizing the animal. In the event the animal is held for adoption, the Veterinarian shall hold the animal at the Veterinarian's expense.

**D. Required Vaccination.** Before any animal over the age of 12 weeks is released to an owner by the Veterinarian, there must be proof of valid rabies vaccination. If proof cannot be provided, the animal must be rabies vaccinated at the owner's expense

**E. Records.** The City shall complete a form, provided for and initiated by a City of Saint Peter Police Officer or Community Service Officer, detailing the date, time, and location of pick-up, as well as ICR number, description of animal, and name of complainant.

**F. Invoices and Payment.** The Veterinarian shall submit a monthly accounting of their activities and the charges against the City for services performed. The City shall pay the Veterinarian for such services within 30 days of receipt of billing.

**G. Access to Impound Facilities.** The Veterinarian shall provide the Saint Peter Police Department with access to the impound facilities on a 24 hour a day basis to allow police officers to deposit found/seized animals.

**H. Law Compliance.** The Veterinarian shall comply with all applicable State

law and City ordinances governing the impound of animals, their redemption, destruction, and adoption.

**I. Release of Impounded Animal.** The Veterinarian will not release any animal unless all applicable charges are paid. The Veterinarian shall immediately release any impounded animal to its owner upon receipt of payment from the owner of pound boarding charges for each day that the animal has been impounded, an impound fee, and proof of current rabies vaccination.

**J. Additional Veterinary Services.** The Veterinarian will not provide any medical treatment to impounded animals except on the written authorization of the Saint Peter Police Chief or his designee for specific treatment. In cases of emergency treatment where written authorization would unduly delay treatment, the Veterinarian may accept verbal authorization. If verbal authorization is used for the provision of emergency medical treatment, it shall be followed with written authorization on the next scheduled working day.

## **II. Responsibilities of City**

**A. Posting Notices.** The City shall post the notices of impoundment required by State Statute, which notices shall include information describing the animal, location where the animal was found, the date of the animal's apprehension, the license number of the animal (if any), where the animal is being impounded, and the steps required to redeem the animal. The City shall supply the Veterinarian with copy of the posted notice for each animal.

**B. Delivery of Impounded Animals.** During the term of this agreement, the City shall deliver all impounded animals to the Veterinarian.

## **III. Fees**

**A. Boarding Fee.** The City shall agree to pay the Veterinarian a fee of \$12.70 day for each dog and cat that has been impounded and not redeemed by its owner or another person within five business days of its impoundment and applicable notices. The boarding fee shall cover all expenses owed to the Veterinarian for the provision of services to the City, which shall include examination and impoundment.

**B. Euthanasia Fee.** The City shall pay the Veterinarian a humane euthanasia/cremation fee of \$69.60 for cats and \$87.00 for dogs not adopted or claimed within the five business days, provided the veterinarian euthanizes the animal.

**C. Litter of Animals.** A group or litter of related animals under four months of age shall be deemed as one animal for every three animals in the litter or group for billing purposes.

**D. Taxes.** The City shall pay all required sales and use taxes on the charges for services which are the responsibility of the City.

**E. Fee Increases.** The fees listed shall increase in a manner consistent with all other price increases for services rendered by Kind Veterinary Clinic.

## **IV. Term**

**A. Term and termination.** This Agreement shall be automatically renewed for additional periods of one year, unless a Party gives the other party at least six

months prior written notice of the intention not to renew the Agreement.

**B. Other Events Permitting Termination.** Notwithstanding anything to the contrary contained herein, this Agreement may be terminated in accordance with the following provisions.

1. This Agreement may be terminated by the non-breaching Party on written notice if the other Party shall be in material breach of its obligations under this Agreement and shall have failed to cure such breach within thirty days after receipt of written notice thereof from the non-breaching Party.

2. This Agreement may be terminated by a Party on six months written notice to the other party.

**V. Indemnification.** Each Party agrees to defend, indemnify, and hold the other Party, their officer, agents, and employees harmless from any and all liability, claims, suits, damages, judgments, costs or expenses, including reasonable attorney's fees, witness fees and disbursements incurred in the defense thereof, resulting directly or indirectly from or caused by any negligent act and/or omission of its officers, agents, contractors or employees in the performance of this Agreement.

**VI. Independent Contractor.** Nothing contained in this contract shall be interpreted as creating a partnership, joint venture or relationship of principal and agent between the City and Veterinarian. In fulfilling its obligations pursuant to this Agreement, each Party hereto shall act as an independent contractor.

**VII. Quarantine for Rabies.** In the event the animal is suspected of rabies, the Veterinarian is required to hold the animal for a ten day period. The Veterinarian shall be paid per diem rate of \$12.70 per day for each day of the holding period. Said payment shall be made by the owner if known. In the event the owner is unknown and depending upon the circumstances (i.e. animal bite, animal behavior, etc.) treatment or disposition will be determined by the City.

**VIII. Entire Agreement.** This Agreement constitutes the entire agreement of the Parties with respect to the subject matter hereof and supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof.

**CITY OF SAINT PETER  
A MINNESOTA MUNICIPAL  
CORPORATION**

BY: \_\_\_\_\_

Its: Mayor

BY: \_\_\_\_\_

Its: City Administrator

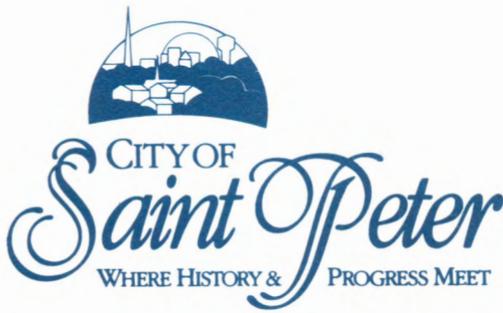
DATE: \_\_\_\_\_

**KIND VETERINARY CLINIC  
A MINNESOTA PROFESSIONAL  
CORPORATION**

BY: *Rick B. ...*

Its: President

DATE: 3-6-2015



## Memorandum

**TO:** Honorable Mayor Strand  
Members of the City Council

**DATE:** 5/15/2015

**FROM:** Todd Prafke  
City Administrator

**RE:** Western Edge Development

### **ACTION/RECOMMENDATION**

None needed. For your information and input.

### **BACKGROUND**

We have been working on a number of issues that impact development, housing, roads, utilities and of course, school and recreation improvements on the western edge of the community for a number of months. As I sat and reviewed budgets, planning, and our actions, I came to the conclusion that while we have discussed all of these issues, we have discussed them independent of each other for the most part. A discussion that includes explanation of the overall picture and their interrelationship may be very beneficial for members.

So in an effort to keep you all "in the loop" about work we are pursuing, I hope to give a short report on a number of activities taking place on the western edge of the community and help clarify how, in many ways, they are interconnected.

The issues I plan to discuss include:

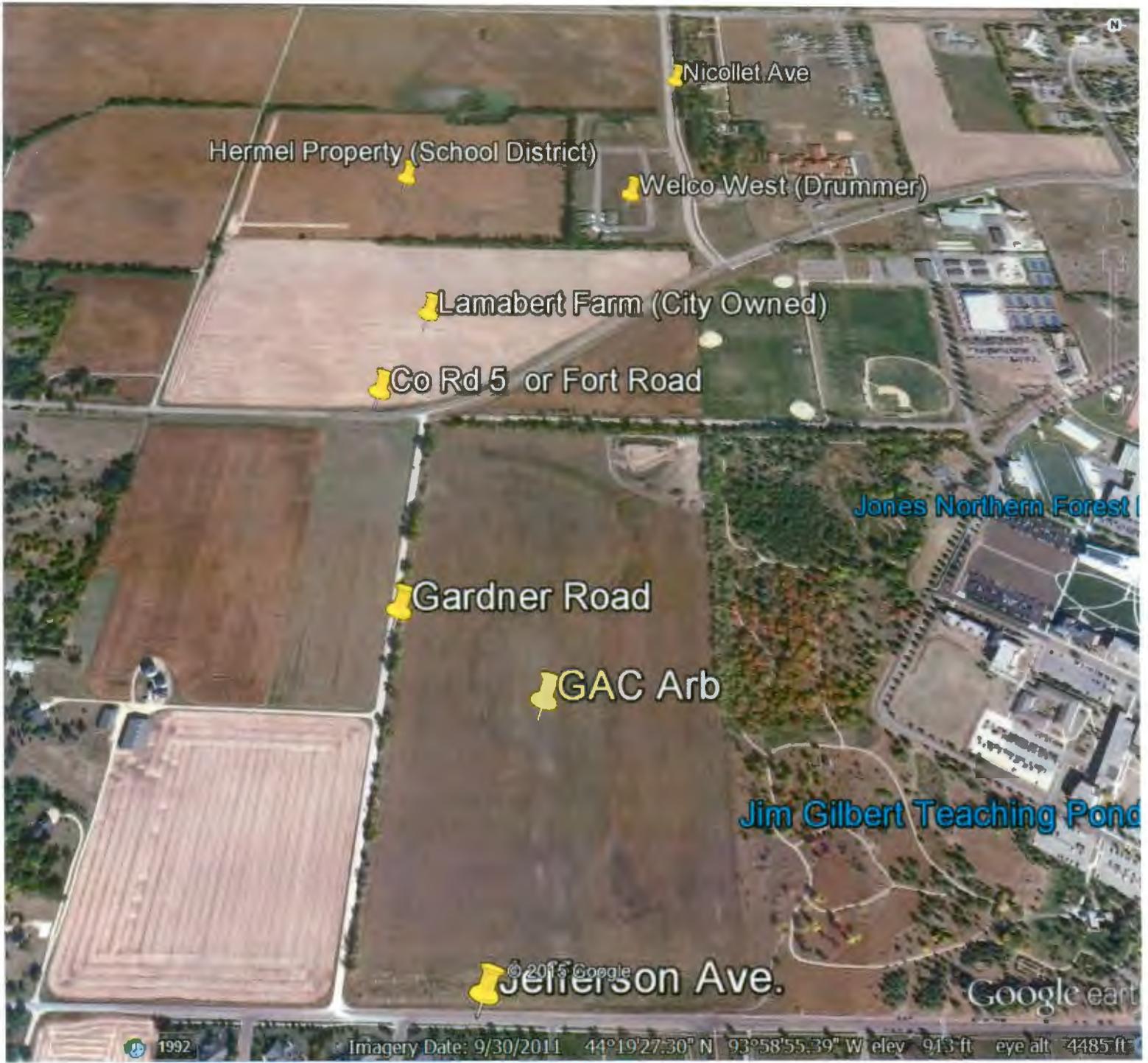
- School/City relationship,
  - Sub-Committee role
  - Full Board and Council role
  - Processes
- Lambert/Hermel Properties Update
  - Sub-Committee role
  - Full Board and Council role
  - Others participating (who are the teams and operational impact)
  - Update the Memorandum of Understanding
  - Budget issues
- Gardner Road, process concept design and process
  - Concept plan
  - Process
  - Timeline
  - Budget issues
- Utility improvements near Gardner Road, Lambert Farm

- Plan
- Timeline
- Budget issues
- Annexation and Rights-of-Way
  - Timeline
  - Process

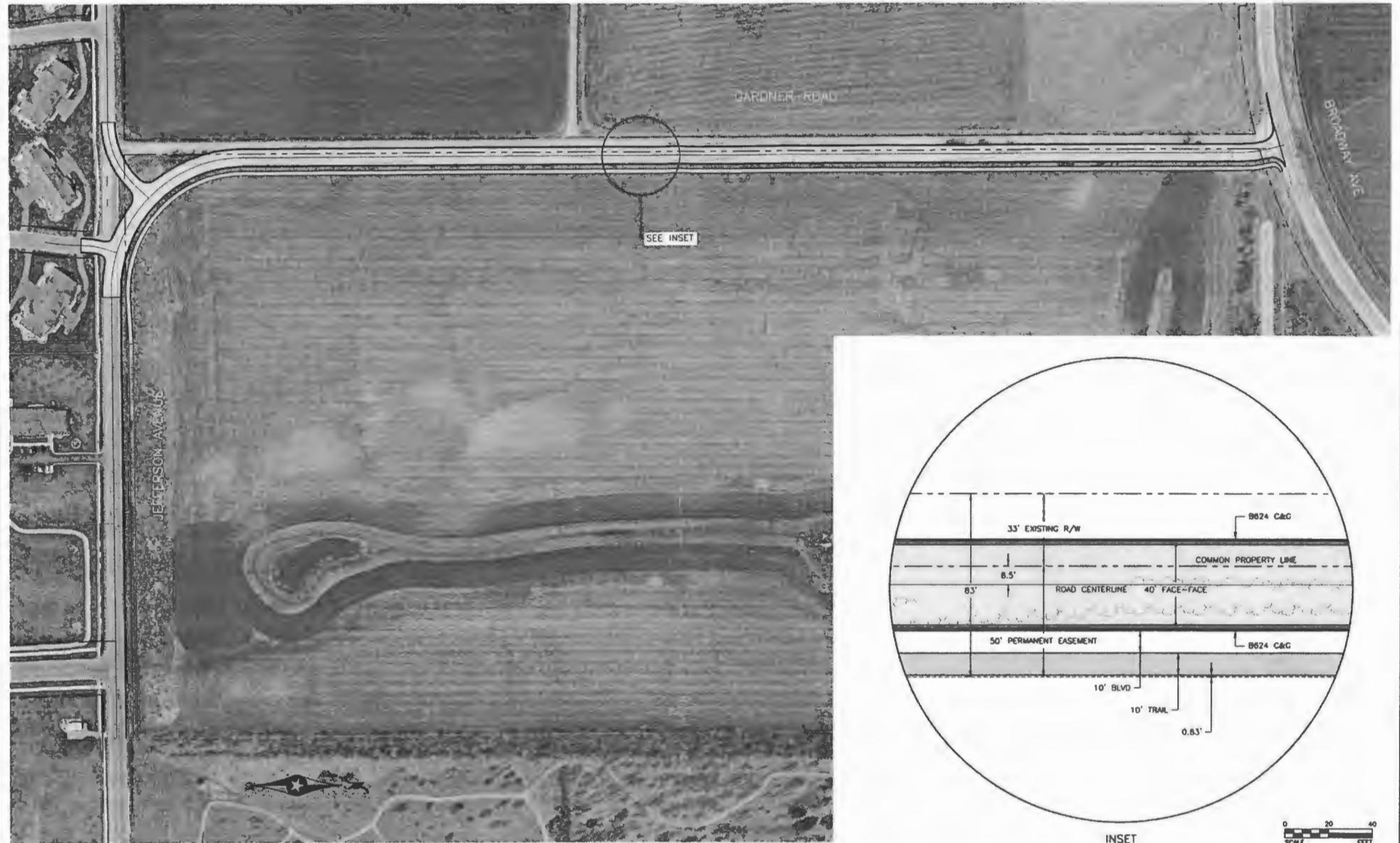
Please find attached a number of maps, timelines, and other documents that give additional information. Please know that these are “working documents”, meaning they are not final, but are what we are using as targets or in some instances are being used for additional evaluation.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal



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**BOLTON & MENK, INC.**  
 Consulting Engineers & Surveyors  
 MARQUET, MI FARBROT, MI SLEEPY EYE, MI WILLMAR, MI BURNEDVILLE, MI  
 CHANDLA, MI RAMSEY, MI MAPLEWOOD, MI BRANFORD, MI AMES, IA

NO.	REV.	DATE

CITY OF SAINT PETER  
 GARDNER ROAD  
 LOCATION MAP

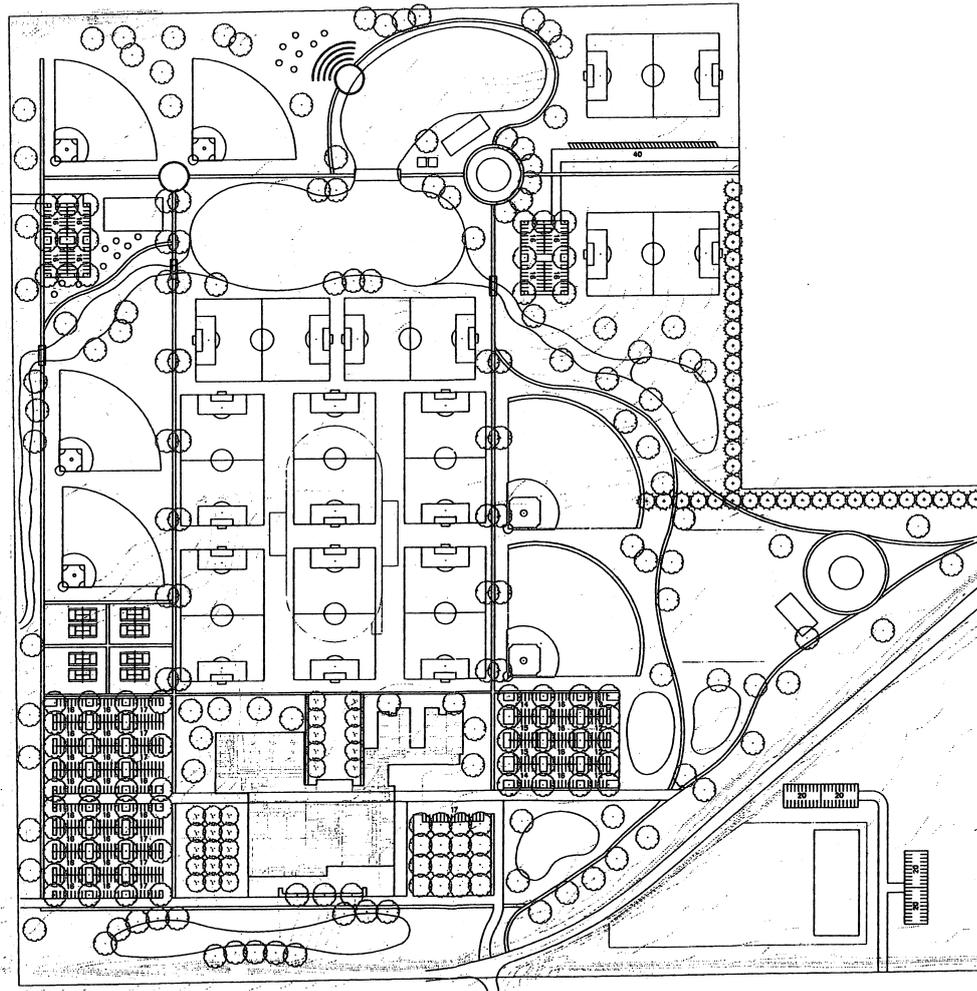
FIGURE  
 1



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Option 1

Option 1



Received  
MAY 2015  
Public Works  
Department

10



0 150' 300'

May 18 <sup>th</sup>	School Board adopts resolution petitioning for annexation.
May 22 <sup>nd</sup>	Public hearing notice sent to St. Peter Herald.  Mail (certified) annexation notice to Oshawa Township.
May 28 <sup>th</sup>	<b>PUBLIC NOTICE OF ANNEXATION HEARING PUBLISHED IN ST. PETER HERALD.</b>
June 4 <sup>th</sup>	Planning Commission recommends annexation of School / City site to City Council.
June 22 <sup>nd</sup>	City Council holds public hearing and adopts annexation ordinance.
June 25 <sup>th</sup>	School / City apply for Preliminary / Final Plat.
June 26 <sup>th</sup>	Public hearing notice sent to St. Peter Herald.
July 2 <sup>nd</sup>	<b>PUBLIC NOTICE OF PRELIMINARY PLAT HEARING PUBLISHED IN ST. PETER HERALD.</b>
July 16 <sup>th</sup>	Planning Commission holds public hearing on Preliminary Plat and recommends approval of Preliminary / Final Plat(s).
July 27 <sup>th</sup>	City Council approves Preliminary / Final Plat(s).
July 28 <sup>th</sup>	School / City apply for Conditional Use Permit.
July 31 <sup>st</sup>	Public hearing notice sent to St. Peter Herald.
August 6 <sup>th</sup>	<b>PUBLIC NOTICE OF CONDITIONAL USE PERMIT HEARING PUBLISHED IN ST. PETER HERALD.</b>
September 3 <sup>rd</sup>	Planning Commission recommends Conditional Use Permit to BZA.
September 10 <sup>th</sup> ?	Board of Zoning Appeals conducts public hearing on CUP. BZA grants Conditional Use Permit.

## ARTICLE III. - REGULATIONS

## Sec. 44-47. - Data required for preliminary and final plats.

*Subd. 1. Preliminary Plat.* The owner or subdivider shall prepare and submit a Preliminary Plat, together with any necessary supplementary information signed by all owners and lien holders:

- (1) Filing. Twenty copies of a Preliminary Plat of any proposed subdivision shall be filed with the Director of Community Development.
- (2) *Contents.* The Preliminary Plat shall contain the following information:
  - a. Proposed name of subdivision; names shall not duplicate or too closely resemble names of existing subdivisions recorded within Nicollet County, Minnesota.
  - b. Location of boundary lines in relation to a known section, quarter section or quarter-quarter section lines or other definable line comprising a legal description of the property.
  - c. Names and addresses of the subdivider and the surveyor and/or engineer contributing to the design of the proposed Plat.
  - d. Graphic scale, not less than one (1) inch to one hundred (100) feet.
  - e. Date of preparation and north point.
  - f. Existing conditions.
    1. Boundary line survey, unless waived by the Planning and Zoning Commission, including measured distances and angles, which shall close by latitude and departure with an error of closure not exceeding one foot in 10,000 feet.
    2. Total acreage in said preliminary plat and individual lots, computed to one hundredth (.01) of an acre.
    3. Location and names of existing or platted streets or other public ways, parks or other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract to a distance of 100 feet beyond the tract.
    4. If the proposed subdivision is a rearrangement or a replat of any former plat, the lot and block arrangement of the original plat along with its original name shall be indicated by dotted or dashed lines. Also, any revised or vacated roadways of the original plat shall be so indicated.
    5. Location and size of existing paved streets, railroads, sewers, water mains, quarries, gravel pits, culverts and other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Also such data as grades, invert elevations and location of basins, manholes and hydrants.
    6. Boundary lines of adjoining platted and unplatted land and owners of all tracts of land within 100 feet.
    7. Complete topographic map with contour intervals not greater than two feet, watercourses, marshes, rock outcrops and other significant features. United States Geodetic Survey Datum shall be used for all topographic mapping. High water elevations and date thereof if part or all of a plat adjoins a watercourse.
    8. A separate copy of restrictive covenants, if any, of all adjoining subdivisions.
  - g. Proposed development. For any proposed development, the preliminary plat shall contain the following:
    1. The location and width of proposed rights-of-way, streets, alleys, pedestrian ways, access ways and easements, and the location of streets within rights-of-way.
    2. The horizontal and vertical location and character of proposed facilities, including storm water and sanitary sewers, water mains, culverts, railroads, parks, open spaces, utility rights-of-way, easements, storm water detention areas (if required), restrictive areas (high water table, flood plain, floodways, wetlands, environmental overlay district, etc.) and other known underground installations.
    3. Layout, number and approximate dimensions of lots and the number or letter of each block.
    4. Location and size of proposed parks, playgrounds, churches or school sites or other special land uses to be considered for dedication to public use or to be reserved by deed of covenant for the use of all property owners in the subdivision, and any conditions of such dedication or reservation.
    5. Indication of any lots on which a use other than residential is proposed by the subdivider.
    6. The zoning districts, if any, on and within 200 feet of the tract.
    7. Vicinity sketch, at a legible scale, to show the relation of the Plat to its surroundings.
  - h. Aerial photo: The petitioner shall submit an aerial photo of the site depicting the preliminary plat overlaid upon the photo.

- (3) *Supplementary Requirements.* Upon request of the Planning and Zoning Commission, supplementary information shall be submitted; such supplementary information may include the following:
- a. Topography, with contour intervals of not more than two feet, related to an approved datum; also the location of water courses, storm water detention areas, ravines, bridges, lakes, wooded areas, approximate acreage, and other such features as may be pertinent to the subdivision.
  - b. Two copies of street profiles or grading plans for each proposed street showing existing grades and proposed approximate grades and gradients on the center line. The location of proposed culverts and bridges shall also be shown.

*Subd. 2. Final Plat.* The owner or subdivider shall submit a Final Plat together with any necessary supplemental information.

- (1) *Filing.* A Mylar reproducible duplicate of the original and twenty (20) copies of a Final Plat shall be filed with the Planning and Zoning Commission, together with additional copies as required for approval by Nicollet County.
- (2) *Contents.* The Final Plat, prepared for recording purposes, shall be prepared in accordance with provisions of Minnesota State Statutes and Nicollet County regulations, and such Final Plat shall contain the following information:
  - a. Subdivision boundary lines, (including measured distances and angles, which shall close by latitude and departure with an error of closure not exceeding one (1) foot in ten thousand (10,000) feet, street rights-of-way, easements, lot lines, lines of all other sites and reservations; with accurate dimensions.
  - b. Dimensions of the final plat shall be one inch equals 100 feet.
  - c. Where there is more than one sheet, an index sheet shall be attached, showing the entire subdivision, including boundary and streets, at an appropriate scale. On each sheet there shall be match lines for matching all adjoining sheets.
  - d. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distance and angles.
  - e. Streets and roadways to be named and the names indicated on the plat. All dimensions shall be shown for streets, roadways, etc. Horizontal curve data shall be indicated by radius and degree. Chord bearings and lengths of all arcs shall be shown.
  - f. The boundary line of the property to be included within the plat is to be fully dimensioned; all angles of the boundary to be indicated, all monuments and surveyor's irons to be indicated; each angle point of the boundary perimeter to be so monumented. Location and ties of monuments that cannot be set at proper locations because of physical hardship shall be delineated on the outside boundary of the final plat.
  - g. Pipes or steel rods shall be placed at each corner of each lot and at each intersection of street center lines. All Federal, State, County or other official bench marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position and be recorded on the plat. All lot and block dimensions shall be shown on the plat and all necessary angles pertaining to the lots and blocks, as an aid to future surveys, shall be shown on the plat. No ditto marks will be permitted in indicating dimensions.
  - h. Lots are to be numbered in numerical order and in tracts containing more than one block, the blocks are to be numbered in numerical order.
  - i. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, or for the exclusive use of property owners within the subdivision, with the purposes indicated therein.
  - j. In case of a rearrangement or replat, the original platting of the subdivision shall be shown in dotted lines.
  - k. Low land and water areas shall be indicated by proper identification symbols. Floodway and flood fringe zones shall be shown as delineated by current FEMA flood plain maps.
  - l. All easements for utilities and drainage, being of record, of nonrecorded agreement or intended for dedication shall be indicated and dimensioned.
  - m. The name of the subdivision shall be lettered in prominent print at the top of the plat, together with the name of the city, township and county wherein the subdivision is located. The name of the subdivision shall be simple in nature, easy to pronounce and shall not duplicate in exact name any plat of record in the City of Saint Peter or Nicollet County.
  - n.

Notarized certification by a registered land surveyor to the effect that the plat represents a survey made by him/her and that monuments and markers shown therein exist as located and that all dimensional and geodetic details are correct.

- o. Notarized certification by owner, and by any mortgage holder of record of the adoption of the plat and the dedication of streets and public areas.
- p. Certification showing all delinquent taxes and special assessments due on the property have been paid in full.
- q. Space for certificates of approval to be filled in by the signatures of the Chairman of the Planning and Zoning Commission, Secretary, and the Mayor and the City Clerk-Administrator. The form of approval by the Planning and Zoning Commission shall be substantially as follows:

Approved by the Planning and Zoning Commission of the City of Saint Peter this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:	_____
	Chairman
Attest:	_____
	Secretary

The form of approval of the City Council shall be substantially as follows:

Approved by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signed:	_____
	Mayor
Attest:	_____
	City Administrator

(3) *Filing Fee.* The Final Plat shall be accompanied by a fee as established by the City Council. Such fees to be used for the expense of the City in connection with the review, inspection, approval, disapproval or other expenses of said Plat which may thereafter be submitted. Fees in lieu of park land and/or public sites shall be submitted upon approval of the final plat, prior to the filing of the plat with the County Recorder's Office.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

Sec. 44-48. - Design standards.

*Subd. 1. General requirements.*

- (1) The Planning and Zoning Commission, in its review of a Preliminary Plat, will take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention will be given to the arrangements, location and widths of streets, the general stormwater drainage situation, lot sizes and arrangement, as well as Comprehensive Plan requirements such as parks, school sites, access ways, boulevards and highways, but not limited to these.
- (2) The Preliminary Plat must cover all of the subdivider's contiguous land, but the Final Plat may cover only a portion of the Preliminary Plat, provided that it is in conformance with an approved Preliminary Plat and other requirements herein.
- (3) When the parcel is subdivided into tracts larger than building lots, such parcels shall be divided so as to allow for the opening of major streets and the ultimate extension of adjacent minor streets.
- (4) Subdivisions showing unplatted strips or private streets controlling access to public ways shall not receive

approval.

*Subd. 2. Streets and alleys.*

- (1) The arrangement, character, extent, width and location of streets shall conform to the Comprehensive Plan, the approved standard street sections and all applicable ordinances and shall be considered in their relation to existing and planned streets, to reasonable circulation of traffic, to topographical conditions, to runoff of storm water, to public convenience and safety and in their appropriate relation to the proposed uses of the area to be served.
- (2) For all public ways hereafter dedicated and accepted, the minimum right-of-way widths for streets and thoroughfares shall not be less than the minimum dimensions for each classification as follows:

Type of Public Way	Right-of-Way Minimum Width	Back of Curb—Back of Curb Minimum Pavement Width (Feet)
Primary arterial	100 feet	<u>44</u>
Secondary arterial	100 feet	<u>44</u>
Collector street	80 feet	<u>40</u>
Sub collector street	66 feet	<u>36</u>
Local/minor street	60 feet	<u>30</u>
Access service streets	50 feet	<u>28</u>
Alley	20 feet	

Where the existing or anticipated traffic on primary or secondary arterials warrants greater widths of rights-of-way, these shall be required.

- (3) Street intersections at both the center line and property line shall be at right angles.
- (4) Street jogs with center line off-sets of less than 125 feet shall be avoided.
- (5) Minor streets shall be so aligned that their use by through traffic will be discouraged. Minor streets shall not exceed 500 feet in length.
- (6) Cul-de-sac streets shall be not longer than 300 feet as measured along the center line from the intersection or origin to end of right-of-way. Each cul-de-sac shall have a terminus of circular shape with a minimum right-of-way diameter of 120 feet and a minimum outside roadway diameter of 80 feet. Where a street terminates at the property line of the tract, the developer shall submit a plan for ingress and egress acceptable to the Planning and Zoning Commission.
- (7) Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision or the completion of an existing half-street in conformity with other requirements of these regulations and where the Planning and Zoning Commission finds that it will be practicable to require the dedication of the other half when the adjoining property is subdivided.
- (8) Half cul-de-sacs, widened portions of streets and dead-end streets without cul-de-sacs shall be prohibited.
- (9) Street names or numbers shall be used. They shall not duplicate or be confused with names or numbers of existing streets, and shall be subject to approval by the Planning and Zoning Commission and the City Council. All street extensions of existing streets shall use the same name. Arterial and collector streets shall be designated avenues. Other roadways, if straight, shall be designated streets; if curved, they may be designated as a drive, lane, way, road, or parkway. streets terminating in cul-de-sacs shall be designated court, circle, or place.
- (10)

Alleys, where permitted by the city, shall be at least twenty (20) feet wide in residential areas and at least 24 feet wide in commercial areas. The city may require alleys in commercial areas where adequate off-street loading space is not available. Alley intersections and sharp corners in alignment shall be avoided, but where necessary, corners shall have a minimum 15-foot radius to permit safe vehicular movement. Dead-end alleys shall be avoided, but if unavoidable, shall be provided with a cul-de-sac.

- (11) All proposed streets and alleys shall be offered for dedication as public street and alleys. No private streets or private alleys shall be permitted.
- (12) Boulevards shall be provided on both sides of every street. To provide adequate room for the storage of plowed snow, boulevards shall have a minimum width of six feet. No structures, other than minor utility services shall be located within the required boulevard. Sidewalks shall be located a minimum distance of six feet from the established curb line of the street.

*Subd. 3. Easements.*

- (1) Easements at least twelve feet wide shall be centered on rear or side lot lines. They shall have continuity of alignment from block to block and at deflection points. These easements, when approved, shall not thereafter be changed without the approval of the City Council as provided in Statute and upon recommendation of the Planning and Zoning Commission, after receiving input from the Public Works Director. If necessary for the extension of main water or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots, depending on the depth of the utility.
- (2) Where a subdivision is traversed by a water course, drainage way, channel or stream, a storm-water easement or drainage right-of-way conforming substantially with the lines of such water courses shall be provided, together with such further width or construction, or both, as will be adequate for the storm water drainage of the area. An additional 12-foot width may be required for maintenance access. The need for such easement shall be determined by the Public Works Director.

*Subd. 4. Block standards.*

- (1) The maximum length of blocks shall be 1,000 feet. Blocks over 500 feet long may require access ways at 12 feet wide at their approximate centers. The use of additional access ways to schools, parks and other destinations may be required.
- (2) Blocks intended for commercial and industrial use must be designated as such, and the block must be of sufficient size to provide for adequate off-street parking, loading and such other facilities as are required to satisfy the requirements of the Zoning Chapter of the City Code.
- (3) Block Width: The width of the block shall normally be sufficient to allow two (2) tiers of lots of appropriate depth. Blocks intended for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.

*Subd. 5. Lot standards.*

- (1) The minimum width of a lot for residential development shall be as stated in Chapter 24 of the City Code.
- (2) All lots must have at least the minimum required frontage on a public dedicated street.
- (3) Side lot lines shall be substantially at right angles or radial to the street line.
- (4) Double-frontage or lots with frontage on two parallel streets shall not be permitted except:
  - a. Where lots back on a street with access control, vehicular access between the lots and said street shall be prohibited. Such double-frontage lots shall have an additional depth of at least 20 feet in order to allow space for screen planting along the back lot line.
  - b. Where topographic or other conditions render subdividing otherwise unreasonable. Such double-frontage lots shall have an additional depth of at least 20 feet in order to allow space for screen planting along the back lot line.
- (5) Lots abutting on a water course, drainage way, channel or stream shall have an additional depth or width, as required, to ensure house sites that are not subject to flooding.
- (6) Corner lots for residential use shall have additional width to permit appropriate building setback from both streets as required in the chapter 24.

*Subd. 6. Public park standards.*

- (1) In subdividing land, or re-subdividing an existing Plat, or annexing land, or in developing land that was previously undeveloped or substantially undeveloped, a reasonable portion of such land shall be set aside and dedicated by the owner or developer to the general public for parks, or at the option of the City, the tract owner or developer shall contribute to the City an amount of cash equal to the fair market value of the land, as determined by the City Council, otherwise required to be so set aside and dedicated, or set aside and dedicate part of said land and contribute the balance of such land value in cash. Dedication of land or cash in lieu thereof for park land shall mean that the land or cash shall be used only for the purposes set forth in this Subdivision.
- (2) All parks to be reserved for, or dedicated to public use shall be indicated on the Preliminary Plat, Final Plat, and Development Plan of the land. The City shall have the sole right to require the subdivider or developer to dedicate or reserve suitable sites for purposes set forth herein or in lieu thereof a reasonable amount in cash to be used for the acquisition or improvement of sites for such purposes or for debt retirement in connection therewith at the option of the City. Fees may also be used to upgrade existing parks or create or maintain trail systems that connect neighborhoods to parks or parks to each other. The City shall have the right of final approval of the appropriate geographic location and configuration of any dedication.
- (3) Fair market value of land to be considered or used for parks shall be the reasonable value of the land as of the date of the plat, replat, development, annexation or subdivision when presented to the City Council for final approval, as determined by a qualified appraiser, approved by the City Council, using appraisal procedures generally accepted by other appraisers in the area, excluding in determining such value, all value added to such land by improvements, but including in such determination the highest and best use to which the land can be put under the Zoning District then existing or to which the land is about to be transferred. The City may agree with the developer to an amount of land dedicated or fee in lieu thereof without using an appraiser.
- (4) The amount of land or fee to be dedicated for public park use shall be determined at the time of final plat approval. The portion of land to be dedicated shall be calculated based upon the net developable area of the subdivision. The net developable area of the subdivision shall not include land platted and dedicated to the public as streets, trails, walks, stormwater ponds, gas/water facilities, similar utility structures and other rights-of-way. The dedication of land shall be provided as follows:

Land Use	Parkland Dedication*
Residential	12% of Net Developable Area
Commercial/Industrial	5% of Net Developable Area

\*The City Council may require payment of a fee in lieu of the dedication of land.

- (5) Parkland dedication or fees in lieu thereof are to be conveyed to the City as follows:
  - a. Subdivision/Platting. Fees shall be paid at the time of final plat approval. The City of Saint Peter will not provide for the recording of the plat until such time as all parkland dedication fees are paid in full.
  - b. Annexation. Fees shall be paid at such time as the annexation is approved and ratified by the Minnesota Boundary Adjustment Board. Parkland dedication fees of annexed land shall not be applied to unplatted parcels of land. Parkland dedication fees shall be applied to such lands at the time of future platting.
- (6) Once dedication or payment in lieu thereof has been effected for a tract of land by virtue of its subdivision, resubdivision or development, said tract is exempt from further parkland dedication or payment.
- (7) New parks shall be designed according to standards as set by City Council resolution. All new parks shall have a minimum percentage of perimeter land adjacent to streets, based on the classification of the park as established by the City Council.

Park Classification	Percent of Perimeter to be Adjacent to a Street
Neighborhood Park	50%

Special Area/Park	50%
Community Park	60%
Play Fields and Ball Fields	65%

- a. All new parks shall provide access ways, from all practical directions, as determined by the Planning and Zoning Commission. All access ways shall be in compliance with the Americans with Disabilities Act and applicable City standards.
- b. Parking areas shall be established on land adjacent to the park land area, sized to meet the needs of the planned facilities. Said parking areas shall be dedicated to public use.
- c. Parks bordered on one or more sides by existing native rivers or streams may have the provisions above modified by the Planning Commission and City Council if the following conditions are met:
  - 1. Access to the park is provided from an arterial roadway or collector street.
  - 2. Pathways that allow emergency motorized vehicle traffic within the park are present.

*Subd. 7. Other public sites and open spaces.*

- (1) In subdividing land, or resubdividing an existing Plat, or annexing land, or in developing land that was previously undeveloped or substantially undeveloped, a reasonable portion of such land shall be set aside and dedicated by the owner or developer to the general public for public open space, storm water holding areas, detention basins or ponds, schools, conservation areas, or other public or semi-public recreational areas. Areas so dedicated or reserved shall conform as nearly as possible to the Comprehensive Plan.
- (2) All areas to be reserved for or dedicated to public use shall be indicated on the Preliminary Plat, Final Plat, and Development Plan of the land, in order that it may be determined when and in what manner such areas will be dedicated to or acquired by the appropriate agency. The City shall have the sole right to require the subdivider or developer to dedicate or reserve suitable sites for purposes set forth herein or in lieu thereof a reasonable amount in cash to be used for the acquisition or improvement of sites for such purposes or for debt retirement in connection therewith at the option of the City. The City shall have the right of final approval of the appropriate geographic location and configuration of any dedication.
- (3) Land dedication or fees in lieu thereof are to be conveyed to the City as follows:
  - a. Subdivision plats or replats. Prior to recording of the Final Plat or if more than one Final Plat is to be filed from one Preliminary Plat, then at the filing of the first Final Plat.
  - b. Land development. Prior to issuance of a building permit.
- (4) Once dedication has been effected for a tract of land by virtue of its subdivision, resubdivision, annexation or development, said tract is exempt from further dedication or payment.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

**Sec. 44-49. - Basic improvements required.**

*Subd. 1. General.*

- (1) Before a Final Plat is approved by the City Council, the owner and subdivider of the land covered by the said Plat shall execute and submit to the City Council a development agreement. The development agreement shall be binding on him/her or their heirs, personal representatives and assigns. He or she will cause no private construction to be made in said platted area, or file or cause to be filed any application for building permits for such construction, until all improvements required under this Chapter have been made or arranged for. Improvements will be considered to be "arranged for" upon receipt of a signed agreement for public improvements.
- (2) Prior to the making of such required improvements, the owner or subdivider, if privately financing the project, shall deposit with the City Clerk/Administrator an amount agreed to in the development agreement, either in cash, a letter of credit, or an indemnity bond, with sureties satisfactory to the City, conditioned upon the payment of all expense incurred by the City for engineering and legal fees and other expense in connection with the making of such improvements.

- (3) No Final Plat shall be approved by the City Council without first receiving a report from the Zoning Administrator certifying that the improvement plans described therein, together with the agreements and documents required herein, meet the minimum requirements of all applicable provisions of the Code. Upon completion of the project, as-built drawings of all improvements shall be filed with the Public Works Director. Such as-built drawings shall show the date of construction and shall be drawn in such a manner and on such materials to meet the standards of the City. As-built drawings must be completed and filed with the Public Works Director within 60 days of the completion of such improvements. If as-built drawings are not filed within the time period specified, the City Engineer may be authorized to conduct surveys and complete the drawings, with all of the costs pursuant thereto being paid by the owner.
- (4) No Final Plat shall be approved by the City Council on land subject to flooding or containing poor drainage facilities which would make adequate drainage of the streets and lots impossible.
- (5) All of the required improvements to be installed under the provisions of this Chapter shall be inspected by the City while under construction. All of the inspection costs pursuant thereto shall be paid by the owner or subdivider in the manner prescribed in Subparagraph (2), above.

*Subd. 2. Street improvements.*

- (1) The full width of the right-of-way shall be graded, including the subgrade of the areas to be paved, in accordance with standards and specifications for street construction as approved by the City Council.
- (2) All streets shall be improved with pavement in accordance with the standards and specifications for street construction as approved by the City Council. All streets to be paved shall be of an overall width in accordance with the standards and specifications for street construction as approved by the City Council.
- (3) Curb and gutter shall be constructed as required by the standards and specifications for street construction as approved by the City Council.
- (4) Storm sewers, culverts, storm water inlets, and other drainage facilities will be required where necessary to ensure adequate storm water drainage for the subdivision. Where required, such drainage facilities shall be constructed in accordance with the standards and specifications for storm water management as approved by the City Council.
- (5) The City shall provide and install street name and regulatory signs of the standard design and location in conformance with the Minnesota Manual on Uniform Traffic Control approved by the City Council.
- (6) Sidewalks shall be located and built in accordance with the Sidewalk District Plan adopted by the City Council.

*Subd. 3. Public utility improvements.*

- (1) Sanitary sewers shall be installed as required by standards and specifications as approved by the City Council.
- (2) Water facilities, including pipe fittings, hydrants, etc., shall be installed as required by standards and specifications as approved by the City Council.
- (3) Electric distribution and service lines shall be buried. Distribution and service lines, along with related transformers, shall be provided and installed by the electric utility as required by standards and specifications as approved by the City Council.
- (4) Storm water drainage shall be provided as required by standards and specifications as approved by the City Council.

*Subd. 4. Franchised and public utilities.*

- (1) All telephone, cable TV, and/or gas service lines are to be placed underground. Conduits, pipes or cables shall be placed within easements or in rights-of-way adjacent to streets in such manner as not to conflict with other underground services.
- (2) All drainage and other underground utility installations which traverse privately owned property shall be protected by easements.

*Subd. 5. Boulevard trees.*

- (1) Boulevard trees shall be mandatory. The developer shall submit a planting plan during the preliminary review of the proposed subdivision. Such plan shall describe the species of planting, height, diameter of trunk and distances between plantings.
- (2) Trees may be planted within the boulevard as approved by the Public Works Director. Trees shall not be planted or

otherwise established within identified utility or drainage easements.

- (3) The trees shall be planted in conformance with the standards set out in the City Code.

*Subd. 6. Observance.* All requirements of this Section shall be observed unless alternate measures are approved by the City Council.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

Sec. 44-50. - Registered land surveys and conveyance by metes and bounds.

*Subd. 1. Registered land surveys.* It is the intent of this Chapter that all registered land surveys in the City should be presented to the Planning and Zoning Commission in the form of a Preliminary Plat in accordance with the standards set forth in this Chapter for preliminary plats and that the Planning and Zoning Commission shall first approve the arrangement, sizes, and relationship of proposed tracts in such registered land surveys, and that tracts to be used as easements or rights-of-way should be so dedicated. Unless such approvals have been obtained from the Planning and Zoning Commission and City Council in accordance with the standards set forth in this Chapter, building permits will be withheld for buildings on tracts which have been so subdivided by registered land surveys and the City may refuse to take over tracts as streets, or rights-of-way, or to improve, repair or maintain any such tracts unless so approved.

*Subd. 2. Conveyance by metes and bounds.*

- (1) No conveyance of land shall be filed or recorded if the land is described in such conveyance by metes and bounds, or by reference to an unapproved registered land survey made after April 21, 1961, or to an unapproved plat made after July 10, 1967. This Subdivision does not apply to a conveyance if the land described (1) was a separate parcel of record on July 10, 1967, or (2) was the subject of a written agreement to convey entered into prior to July 10, 1967, or (3) was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or (4) is a single parcel of land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width.
- (2) In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the Council may waive such compliance by adoption of a resolution to the effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this Subdivision shall forfeit and pay to the City a penalty for each lot or parcel so conveyed. The City may enjoin any such conveyance or may recover such penalty by a civil action.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

Sec. 44-51. - Variances.

*Subd. 1. General.*

- (1) The Planning and Zoning Commission may recommend a variance from the provisions of this Chapter when, in its opinion, undue hardship may result from strict compliance. In recommending any variance, the Commission shall prescribe only conditions that it deems necessary to or desirable for the public interest. In making its findings, as required herein, the Planning and Zoning Commission shall take into account the nature of the proposed use(s) of land within the subdivision, the number of persons to reside or work in the proposed subdivision and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be recommended by the Planning and Zoning Commission or granted by the City Council unless it is found that:
  - a. There are special circumstances or conditions affecting said property such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of his land; or
  - b. The variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner; and
  - c. The granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
- (2) Recommendations of variance to the City Council shall list findings of fact and reasons substantiating the findings of fact.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

**Sec. 44-52. - Compliance.**

*Subd. 1. Conditions for recording.* No Plat of any subdivision shall be entitled to record in Nicollet County Register of Deeds Office or have any validity until the Plat thereof has been prepared, approved, and acknowledged in the manner prescribed by this Chapter.

*Subd. 2. Building permits.* No building permits will be issued by the City for the construction of any building, structure, or improvement to the land or to any lot in a subdivision, as defined herein, until all requirements of this Chapter have been fully complied with.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

**Sec. 44-53. - Violations a penalty.**

*Subd. 1. Sale of lots from unrecorded plats.* It is unlawful for any person to sell, trade or otherwise convey or offer to sell, trade or otherwise convey any lot or parcel of land as a part of, or in conformity with, any plan, plat or replat of any subdivision or area located within the jurisdiction of this Chapter unless said plan, plat or replat shall have first been recorded in the office of the County Recorder of Nicollet County or waived as provided for in this Chapter.

*Subd. 2. Receiving or recording unapproved plats.* It is unlawful for any person to receive or record in any public office any plans, plats or replats of land laid out in building lots and street rights-of-way, alleys or other portions of the same intended to be dedicated to public or private use, or for the use of purchasers or owners of lots fronting on or adjacent thereto, and located within the jurisdiction of this Chapter, unless the same shall bear thereon, by endorsement or otherwise, the review of the Planning and Zoning Commission and the approval of the City Council or waived as provided for in this Chapter.

*Subd. 3. Misrepresentations as to construction supervision or inspection of improvements.* It is unlawful for any person, owning an addition or subdivision of land within the City, to represent that any improvements upon any of the street rights-of-way, alleys or avenues of said addition or subdivision, or any utilities in said addition or subdivision have been constructed according to the plans and specifications approved by the City Council, or has been supervised or inspected by the City, when such improvements have not been so constructed, supervised, or inspected.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

**Sec. 44-54. - Waiver of subdivision platting requirements.**

*Subd. 1.* The Planning and Zoning Commission may recommend a waiver from the provisions of this Chapter governing subdivision platting of three or fewer parcels when, in its opinion, a hardship may result from strict compliance and a certificate of survey will satisfy all other subdivision regulations. In recommending any waiver, the Commission shall prescribe only conditions be attached to the waiver that it deems necessary to or desirable for the public interest. In making its findings, as required herein below, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land in the vicinity. The Commission shall determine that the waiver is desirable for the preservation and enjoyment of a substantial property right of the petitioner, and, that the granting of the waiver will not be detrimental to the public welfare or injurious to other property in the locale in which the property is situated.

*Subd. 2.* The formal platting procedures outlined in this Chapter may create an unnecessary hardship and some or all of the conditions contained therein may on occasion be waived if a petition for waiver has been considered by the Planning and Zoning Commission and approved by the City Council. Any action taken on a petition for waiver by the Planning and Zoning Commission and the City Council shall be by resolution accompanied by findings and reasons therefore.

*Subd. 3.* Petition for waiver pursuant to this Section shall be submitted to the City upon forms furnished by the City. Said forms shall contain or be accompanied by the following:

- (1) Proof of property ownership.
- (2) An exhibit showing a certificate with dimensions of a recordable registered land survey or survey of the property by a registered land surveyor overlaying the description of the property which is subject of the petition.
- (3) A legal description of the area.
- (4) A sketch with dimensions of present lot arrangements including existing lot lines, structures, easements and encroachments, existing and proposed utilities, streets, rights-of-way, and drainage plan, as well as the relationship to adjacent lots and buildings.
- (5) The specific requirements of the subdivision regulations that petitioner requests be waived and the reasons

therefore.

*Subd. 4.* A petition for waiver of subdivision and twenty (20) copies of the certificate of survey must be submitted to the Director of Community Development at least two weeks before the next regularly scheduled meeting of the Planning and Zoning Commission and must be accompanied by the required filing fee.

*Subd. 5.* A certified copy of the City Council's resolution approving the petition for waiver, accompanied by a registered land survey, will be recorded at the Office of the County Recorder. The petitioner shall supply a registered land survey within 10 days after City Council approval. The City shall file the resolution and survey within 14 days of receipt.

(Ord. No. 2(3rd. Ser.), § 1, 9-13-2010)

## ARTICLE VII. - CONDITIONAL USE PERMITS

## Sec. 24-640. - Procedures and requirements.

Conditional uses specifically designated within the individual district regulations may be permitted, enlarged or altered upon application for a conditional use permit in accordance with the rules and procedures of the Board of Appeals and Adjustments. The Board of Appeals and Adjustments will grant or deny a conditional use permit in accordance with the standards set forth herein and with the intent and purpose of this chapter. In granting a conditional use permit, the Board shall authorize the issuance of a conditional use permit and may prescribe and impose appropriate conditions, safeguards and a specified time limit for the performance of the conditional use permit.

(Ord. No. 394(2nd Ser.), § 1(11.28), 11-26-2007)

## Sec. 24-641. - Application for conditional use.

A request for a conditional use permit or for the modification of a conditional use permit may be initiated by a property owner or his authorized agent by filing an application with the Zoning Administrator upon forms prescribed for this purpose. The application shall be accompanied by a site plan and other such plans and data showing dimensions, arrangements, descriptive data and other materials constituting a record essential to an understanding of the proposed use or proposed modification in relation to the standards set forth herein. The application shall also be accompanied by a fee as determined by resolution of the City Council.

(Ord. No. 394(2nd Ser.), § 1(11.28), 11-26-2007)

## Sec. 24-642. - Procedures.

A conditional use shall not be granted by the Board of Appeals and Adjustment unless and until the following procedures have been fulfilled:

- (1) The Zoning Administrator shall provide a copy of the application for conditional use for review and comment to the Planning and Zoning Commission within five days after receipt of the application.
- (2) The Planning and Zoning Commission shall provide the Board of Appeals and Adjustments with its recommendation within 45 days after receipt of the application.
- (3) After receipt of the Planning and Zoning Commission's recommendations, the Board of Appeals and Adjustments shall schedule a public hearing in relation to the conditional use permit application. Notice of the public hearing shall be given as required by State Statute.
- (4) The Board of Appeals and Adjustments shall determine that it is empowered under this chapter to grant the conditional use permit as described in the application and that the granting of the conditional use will not adversely affect the public interest pursuant to testimony presented at the public hearing and review by the Planning and Zoning Commission.
- (5) In granting any conditional use permit, the Board may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this chapter and punishable under article IX of this chapter.

- (6) The concurring vote of a simple majority of those Board of Appeals and Adjustments members present shall be sufficient to grant a conditional use permit. No order of the Board granting a conditional use permit shall be valid for a period longer than one year from the date of such order, unless the Board specifically grants a longer period of time or a building permit is obtained within a six-month period and construction is commenced.

(Ord. No. 394(2nd Ser.), § 1(11.28), 11-26-2007)

Sec. 24-643. - Standards.

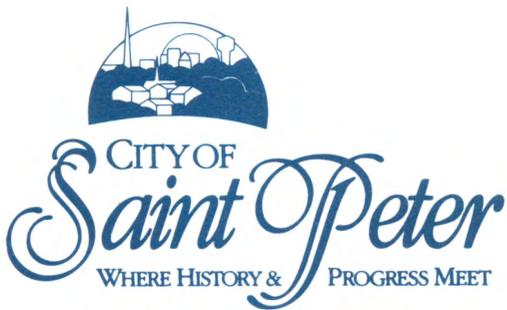
No conditional use permit shall be granted by the Board of Appeals and Adjustments unless the Board shall find each of the following to be present:

- (1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare of the community.
- (2) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
- (3) In the case of existing relocated single-family dwellings, that the proposed use aesthetically blends in with the neighboring, existing permitted uses and special attention be given to the architectural style, scale and quality of construction of the proposed use.
- (4) The establishment of the conditional use will not impede the normal and orderly development of improvements to the surrounding property for uses permitted in the district.
- (5) Adequate utilities, access roads, drainage, parking or other necessary facilities have been or will be provided.
- (6) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (7) The use shall not include any activity involving the use or storage of flammable or explosive material unless protected by adequate firefighting and fire suppression equipment and by such safety devices as are normally used in handling of any such material.
- (8) The use shall not include noise which is objectionable due to volume, frequency, pitch or beat unless muffled or otherwise controlled.
- (9) The use shall not include vibration which is discernable without instrumentation on any adjoining parcel or property.
- (10) The use shall not involve any malodorous gas or matter which is discernable on any adjoining property.
- (11) The use shall not involve any pollution of the air by fly ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which causes soiling, discomfort or irritation.
- (12) The use shall not involve any direct or reflective glare which is visible from any adjoining property or from any public street, road or highway.
- (13) The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.
- (14) The use shall not involve any activity substantially increasing the burden on any essential utility system or facilities unless provisions are made for any necessary adjustments.

- (15) The use shall not interfere with the use or enjoyment of neighboring permitted uses. If such interference is found, provisions must be made for increased setbacks from property lines or screening of incompatible uses by the use of fences, berms or hedges.
- (16) The ground coverage shall be such that no additional dust or stormwater runoff is generated by the conditional use.
- (17) The use shall not create a hazard to vehicular or pedestrian traffic. If any such hazard is determined, provisions must be made to increase the required setback in regard to open air storage.

(Ord. No. 394(2nd Ser.), § 1(11.28), 11-26-2007)

Secs. 24-644—24-674. - Reserved.



## Memorandum

**TO:** Honorable Mayor Strand  
Members of the City Council

**DATE:** 5/15/15

**FROM:** Todd Prafke  
City Administrator

**RE:** Upcoming City Council Tours

### **ACTION/RECOMMENDATION**

None needed. For your information only.

### **BACKGROUND**

Beginning June 1st, the City Council will undertake a summer of workshops that will incorporate tours of City facilities as well as tours of other organizations.

The first tour on the schedule is the St. Peter Arts Center on June 1st followed by a tour of the Nicollet County Historical Society Treaty Site History Center on June 15th. These tours are based on the discussion at your last Goal Session in an effort to be connected to more of the places and organizations that make Saint Peter great.

As you may recall, each of these are groups that you either have formal relationships with (a contract or rental or some other type of agreement) or have had a relationship with in the past. Each tour will last approximately one hour and the tours will be the first agenda item for the workshops those evenings. Watch for more information with details on these tours as in some instances we will gather at the tour location and for others we will meet and travel together using transit.

Please feel free to contact me if you have any questions or concerns on this agenda item.

TP/bal