I. Call to Order
II. Oath of Office
III. Approval of Agenda
IV. Election of Officers
V. Approval of Minutes
   A. December 2, 2021
VI. Public Hearing
   A. Hallet Pond Second Addition – Preliminary Plat
VII. Old Business – None
VIII. New Business
   A. Hallet Pond Second Addition – Preliminary Plat
   B. Hallet Pond Second Addition – Final Plat
   C. St. Peter Fire Station (602 Sunrise Drive) Conditional Use Permit
IX. Reports
   A. Traverse Green Apartments
X. Adjourn

Russ Wille
Community Development Director
The December 2, 2021 meeting of the Saint Peter Planning and Zoning Commission was called to order at 5:30 pm by City Administrator Todd Prafke.

Commission members Andrew Davis, Ben Ranft, Brad DeVos, Scott Fichtner and Shanon Nowell were in attendance. Member Joe Urban was unable to attend the meeting as scheduled. Visitor present was Mike Volk, developer of Windsor Lane and Chris Wand of Primus – Cedar Rapids, Iowa representing Broken Tooth Properties, LLC. City staff present was City Administrator Todd Prafke.

**Approval of Agenda**

A motion was made by Ranft, seconded by Fichtner to approve the agenda as submitted. With all members voting aye, the motion carried.

**Approval of Meeting Minutes**

A motion was made by DeVos, seconded by Nowell to approve the minutes of the July 1, 2021 meeting. All members voting aye, the minutes were approved as submitted.

**Public Hearing - 1642/1646 Windsor Lane - Easement Vacation (Mike Volk)**

City Administrator Prafke provided a staff report regarding an easement vacation petition submitted by Mike Volk, owner of 1642/1646 Windsor Lane.

Volk has asked the City to approve the vacation of an interior easement between 1642 and 1646 Windsor Lane to allow for a single family home to be constructed on the combined lots.

Prafke stated that when a new subdivision is developed, utility easements are established between lots. He indicated that in the past the City has approved such requests.

Chairperson Davis opened the public hearing at 5:32 pm.

Nowell asked where the house would be located on the lot.

Davis indicated the home would be constructed over the lot line.

Fichtner asked if the Resolution should include that public works does not object to the petitioned vacation subject to the removal of water and sewer lines.

Prafke stated there is a City Ordinance which addresses the issue and it would be redundant to include it in the Resolution.

Davis closed the public hearing at 5:54 pm.
1642/1646 Windsor Lane - Easement Vacation (Mike Volk)

A motion was made by Fichtner, seconded by Ranft to introduce Resolution No. 2021-14 entitled, "Resolution Recommending The Vacation Of The Interior Drainage Easement Between Lots 1 And 2, Block 1, Windsor Pond Fourth Addition". With all members voting aye, the Resolution was passed and adopted.

Saint Peter Family Dental Clinic – Side Yard Setback Variance

Broken Tooth Properties, LLC (402 Sunrise Drive) would like to expand their dental clinic structure within ten (10) feet of the southern (side) lot lines of the property. They have submitted a variance application requesting City approval.

In 1996 when the dental clinic was constructed, the zoning code required a side yard setback of 10'. Praefke said since that time, the zoning ordinance underwent a comprehensive alteration and rewriting at which time the side yard setback increased from 10' to 15'.

Praefke said that in order for the variance to be approved, it must prove the existence of "practical difficulties". He stated that there is a three factor test that is used to determine whether there are "practical difficulties" associated with the development of the land. The test includes; 1) the proposed use of the property is "reasonable" 2) there are circumstances which are unique to the property which haven't resulted from an action of the property owner and 3) the variance would not alter the "essential character" of the immediate vicinity.

Praefke indicated that Community Development Director Russ Wille has reviewed the three factor test and has recommended the variance request be granted.

Fichtner asked if the impervious surface requirement would be met with the expansion.

Wand stated the expansion would occur back of the property. He indicated that the civil engineer has worked through the calculations related to stormwater. He also added that they are working with the electric department on relocation of an electric transformer which serves several properties.

Nowell asked if the parking would allow for handicap accessibility.

Wand said the parking lot in front of the building would be primarily for the patients and the rear for staff.

A motion was made by Nowell, seconded by Fichtner to introduce Resolution No. 2021-15 entitled, Resolution Recommending The Approval Of A Variance Application Submitted By Broken Tooth Properties, LLC (402 Sunrsie Drive) To Allow For The Expansion Of The Dental Clinic Structure Within 10 Feet Of The Southern (Side) Lot Line". All members voting aye the Resolution was passed and adopted.

Reports

Hallets Pond – The City has had communication with a property owner that has expressed an interest in a potential development in the Hallets Pond area. The development would be subject to the Gateway Overlay.
Prafke read a letter aloud that was submitted by Ken Rossow expressing his appreciation to the Commission that has served with him during his two terms as well as the City.

The Commission thanked Rossow for his service.

**Adjournment**
With no further business, a motion was made by Nowell, seconded by DeVos to adjourn. All members voting aye, the meeting adjourned at 5:59 pm.
Memorandum

To: Planning & Zoning Commission

From: Russ Wille
Community Development Director

RE: Hallett Pond Second Addition – (Preliminary & Final Plats)

ACTION / RECOMMENDATION

Adopt the attached resolution(s) accepting the Preliminary and Final Plats of Hallett Pond Second Addition as petitioned by the Ruth Ann Weelborg Revocable Trust.

BACKGROUND

The Ruth Ann Weelborg Revocable Trust owns approximately 5.42 acres of land abutting Old Minnesota Avenue. The property is generally bound by Hallet’s Pond to the west, St. Julien Street to the north, Minnesota Avenue to the east and the Hy-Vee property to the south (see map). The Weelborg Trust is seeking to plat a second portion of the property to accommodate additional commercial development.

The property had been originally platted as a portion of the town of Traverse des Sioux. In 2012, North Con Agg, LLC re-platted the property. The portion currently under consideration had been designated as “Outlot B” upon the Hallet Pond Addition plat.

The submitted Preliminary Plat of the second addition indicates that the existing Outlot B would be re-platted as a single block and parcel. The submitted plat indicates that Lot 1, Block 1, Hallett Pond Second Addition would contain 1.94 acres of land. The parcel created would meet all of the regulations of applicable code as to minimum width and area.

The balance of the land would be platted as an Outlot. Weelborg would intend to continue to market the sale of the outlot for future commercial development. Upon sale, the outlot would need to be platted prior to development.

Subsequent to the acceptance of the Hallet Pond Addition plat(s) in 2012, the City had prepared plans and has acquired the necessary right-of-way at the Old Minnesota Avenue / St. Julien Street intersection for the construction of a roundabout. The roundabout construction is currently scheduled to take place during the 2023 construction season.

When the roundabout is constructed, the City is going to provide for the replacement of the underground sanitary sewer and water systems serving the Weelborg property. Until such time as those improvements are completed, the Weelborg site will need to be serviced by a temporary sanitary sewer system holding tank. Once the roundabout construction is completed, the Weelborg site will be connected to the new utility infrastructure.
The submitted plats have been vetted by the Community Development and Public Works Departments of the City of Saint Peter. Public Works Director Moulton, Jeff Domras of Bolton & Menk and I are of the opinion that the submitted plats are adequate and recommend approval.

FISCAL IMPACT

The Ruth Ann Weelborg Revocable Trust has paid the appropriate fee for consideration of the alternative plat.

ALTERNATIVES / VARIATIONS

Adopt: A recommendation will be made that the City Council accept the Preliminary and Final Plat of Hallett Pond Addition to the City of Saint Peter.

Deny: The applicant will be notified of the Planning and Zoning Commission’s concerns regarding the plat. It is expected that Weelborg would submit an alternative platting of the site.
City of St. Peter Zoning Application

STREET LOCATION OF PROPERTY (address)  To be assigned

PROPERTY OWNER
Name  Ruth Ann Weelborg Revocable Trust  Phone #  507.995.1589
Address  38443 Timber Trail, St. Peter, MN
Email Address

APPLICANT (If different from Owner)
Name  Bart Weelborg  Phone #  507.931.7348
Address  1031 County Rd #5, St. Peter, MN

Type of Request: (Please check one)  ( ) Rezoning  ( ) Annexation  ( ) Variance
( ) Conditional Use  ( ) Vacate Public Ways  ( ) Other
( ) Application for Subdivision  Number of Lots

Description of Request:
Accept and approve the PRELIMINARY PLAT and FINAL PLAT of Halley Pond Second Addition.

Please attach a photo of the property in question and a site plan with dimensions. Application is not considered complete until fee is received.

Applicant Signature  Bart Weelborg  Date 01/14/2022

*****************************************************************************TO BE FILLED IN BY CITY OFFICIAL*****************************************************************************

Petition received with fee $ 400.00 on 01/14/2022 by

Action of Variance Board (if request is for Variance) N/A  Date

Action of Planning Commission  Date 02/03/2022

Action of City Council  Date 02/14/2020

Fee $ 400.00  Receipt Number #00526666  Date 01/14/2022
RESOLUTION RECOMMENDING APPROVAL OF THE PRELIMINARY PLAT OF HALLETT POND SECOND ADDITION

WHEREAS, Ruth Ann Weelborg Revocable Trust has submitted the required forms and plans for a Preliminary Plat review of Hallett Pond Second Addition; and

WHEREAS, Hallett Pond Addition is located on a tract of land located west of Old Minnesota Avenue, south of St. Julien Street and north of Third Street; and

WHEREAS, Ruth Ann Weelborg Revocable Trust, is seeking to plat the property to accommodate additional commercial development; and

WHEREAS, Ruth Ann Weelborg Revocable Trust has submitted the Preliminary Plat of Hallett Pond Second Addition for Planning and Zoning Commission review; and

WHEREAS, notice of a public hearing was advertised as per statute and interested parties were provided an opportunity to comment on the proposed Preliminary Plat of Hallett Pond Second Addition; and

WHEREAS, the Planning and Zoning Commission has reviewed the Preliminary Plat of the Hallett Pond Second Addition pursuant to the requirements of City Code; and

WHEREAS, the Preliminary Plat conforms to the Comprehensive Plan of the City and the Planning and Zoning Commission has considered the requirements of the community so that the Plat will provide a consistent and unified scheme for the development of the community.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, That:

1. It recommends to the City Council that the Preliminary Plat of Hallett Pond Second Addition, submitted by the Ruth Ann Weelborg Revocable Trust be approved as submitted.

Adopted by the Planning and Zoning Commission of the City of Saint Peter, Minnesota this the 3rd day of February, 2022.

Chairperson

ATTEST:

__________________________________________

Rosten Wille
Community Development Director
RESOLUTION RECOMMENDING APPROVAL OF THE FINAL PLAT OF
HALLETT POND SECOND ADDITION

WHEREAS, Ruth Ann Weelborg Revocable Trust has submitted the required forms and plans for a Final Plat review of Hallett Pond Second Addition; and

WHEREAS, Hallett Pond Second Addition is located on a tract of land located west of Old Minnesota Avenue, south of St. Julien Street and north of Third Street; and

WHEREAS, the owner of the property is seeking to plat the property to accommodate additional commercial development; and

WHEREAS, Ruth Ann Weelborg Revocable Trust has submitted the Final Plat of Hallett Pond Second Addition for Planning and Zoning Commission review; and

WHEREAS, the Planning & Zoning Commission has found that the Final Plat of Hallett Pond Second Addition conforms to the Comprehensive Plan of the city and the Planning and Zoning Commission has considered the requirements of the community so that the Plat will provide a consistent and unified scheme for the development of the community.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, That:

1. It recommends to the City Council that the Final Plat of Hallett Pond Second Addition, submitted by Ruth Ann Weelborg Revocable Trust be approved as submitted.

Adopted by the Planning and Zoning Commission of the City of Saint Peter, Minnesota this the 3rd day of February, 2022.

__________________________________
Chairperson

ATTEST:

__________________________________
Rosten Wille
Community Development Director
To: Planning Commission

From: Russ Wille, Community Development Director

RE: Saint Peter Fire Station (602 Sunrise Drive)

Conditional Use Permit

ACTION / RECOMMENDATION

Adopt the attached resolution recommending that the Board of Zoning Appeals grant a Conditional Use Permit for the construction of Safety Services (Saint Peter Fire Station) at 602 Sunrise Drive.

BACKGROUND

The Saint Peter Fire Department has outgrown their current fire station on Mulberry Street.

The City Council has been working with Five Bugles Design and Bolton & Menk to prepare the plans to locate a new fire station at the northwest corner of the Broadway and Sunrise Drive intersection. The site has been assigned an address of 602 Sunrise Drive.

After considering the merits of many sites within the community, the 602 Sunrise Drive site was recommended by Five Bugles Design. It was determined that this would be an appropriate location given the number of fire calls and the locations to which the fire department would be responding to calls.

The property in question is zoned (C-5) Business / Professional Office. A fire station would be considered to be “Safety Services” as per the regulations within the zoning ordinance. Safety Services may be allowed in the C-5 zoning district as a Conditional Use.

For your review of the project, I have provided copies of the site plan, grading plan and utility plan. Please note that these plans include what is being bid as “Alternate 1 (North Bay)”. The alternate would add a third vehicle stall on the north side of the building.

The “base bid” is for a building with only two fire truck bays on the north side. If the bids are favorable after opening, the third vehicle bay will be added. If the bids come in too high, the smaller fire station will be built in the absence of the third stall.

I have reviewed the submitted plans for conformance with the development regulations required within the C-5 zoning district. My review indicates that the planned construction would be
undertaken in a manner which meets all of the regulations related to building setbacks, lot coverage and building height.

In Section 24-643, the Zoning Ordinance provides seventeen (17) standards which must be considered for each proposed Conditional Use Permit. I have included a copy of the standards for your review and consideration.

As I have reviewed the construction plans relative to the seventeen standards for the Conditional Use Permit, I do not see any inherent conflicts or difficulties created by the location of a new fire station at 602 Sunrise Drive.

The one issue that the Commission may want to suggest is the installation of signage upon the Sunrise Drive right-of-way providing advanced warning that emergency vehicles may be entering the roadway when there is a fire call for service.

If the Planning Commission would suggest that there are conflicts in relation to the seventeen standards, conditions upon the use should be imposed to alleviate or abate the concern. If there are no conditions appropriate to remedy the conflict the Conditional Use Permit should be denied.

The Planning Commission recommendation regarding the Conditional Use Permit will be forwarded to the Board of Zoning Appeals for final dispensation. The BZA will conduct a public hearing regarding the Conditional Use Permit at 5:30 p.m. on Thursday, February 24, 2022.
City of St. Peter Zoning Application

STREET LOCATION OF PROPERTY (address) 602 Sunrise Drive, Saint Peter, MN

PROPERTY OWNER

Name City of Saint Peter Phone # 507.984.0662
Address 227 S. Front St., Saint Peter, MN 56082

APPLICANT (If different from Owner)

Name City of Saint Peter Phone # 507.984.0662
Address 227 S. Front St., Saint Peter, MN 56082

Type of Request: ( ) Rezoning ( ) Annexation ( ) Variance
(Please check one) ( ) Conditional Use ( ) Vacate Public Ways ( ) Other
( ) Application for Subdivision Number of Lots

Description of Request: CUP to establish Safety Services (fire station)
upon Lot 1, Block 1, Hilltop Addition (602 Sunrise Drive).

Please attach a photo of the property in question and a site plan with dimensions. Application is not considered complete until fee is received.

Applicant Signature ___________________________ Date 1/25/2022

************************************************************************************TO BE FILLED IN BY CITY OFFICIAL***************************************************************************************

Petition received with fee $ 400.00 on to be paid interfund transfer by ___________________________ 

Action of Variance Board (if request is for Variance) ___________________________ Date 02/24/2022

Action of Planning Commission ___________________________ Date 02/03/2022

Action of City Council ___________________________ Date N/A

Fee $ 400.00 Receipt Number N/A Date 01/25/2022
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)
RESOLUTION RECOMMENDING THE APPROVAL OF A CONDITIONAL USE PERMIT APPLICATION SUBMITTED BY THE CITY OF SAINT PETER, MINNESOTA TO ALLOW FOR THE ESTABLISHMENT OF A SAFETY SERVICES (FIRE STATION) USE UPON LOT 1, BLOCK 1, HILLTOP ADDITION (602 SUNRISE DRIVE)

WHEREAS, the City of Saint Peter has submitted an application for a Conditional Use Permit to allow for the establishment of a Safety Services (Fire Station) upon property identified as 602 Sunrise Drive; and

WHEREAS, the City of Saint Peter has submitted the required and proper forms, and has paid the fee established by the City Council to allow for a review of the petitioned Conditional Use Permit; and

WHEREAS, Saint Peter City Code, Section 11.28, Subdivision 4 provides the standards applicable to any Conditional Use Permit and the Commission has made the following findings of fact related to the application; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, adequate utilities, access roads, drainage, parking and/or other necessary facilities have been provided to the property in question; and

WHEREAS, adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and

WHEREAS, the use does not include any activity involving the use or storage of flammable or explosive material; and

WHEREAS, the use does not include noise which is objectionable due to volume, frequency, pitch or beat; and

WHEREAS, the use does not include vibration which is discernable without instrumentation on any adjoining parcel or property; and
WHEREAS, the use does not involve any malodorous gas or matter which is discernable on any adjoining property; and

WHEREAS, the use does 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; and

WHEREAS, the use does not involve any direct or reflective glare which is visible from any adjoining property or from any public street, road or highway; and

WHEREAS, the use does not involve any activity substantially increasing the movement of traffic on public streets: and.

WHEREAS, the use does not involve any activity substantially increasing the burden on any essential utility system or facilities; and

WHEREAS, the use does not interfere with the use or enjoyment of neighboring permitted uses; and

WHEREAS, the ground coverage is designed so no additional dust or storm water run-off is generated by the conditional use in a manner which negatively impacts neighboring properties; and

WHEREAS, the use would not be expected to create a hazard to vehicular or pedestrian traffic within the vicinity; and

WHEREAS, the Planning and Zoning Commission has reviewed and considered the Conditional Use Permit application and has made the following recommendation to the Board of Appeals and Adjustments as required by code.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, that:

1. The Planning and Zoning Commission hereby recommends that the Board of Appeals & Adjustments unconditionally approves the Conditional Use Permit application submitted by the City of Saint Peter for the establishment of a Safety Services (Fire Station) at 602 Sunrise Drive.

Adopted by the Planning & Zoning Commission of the City of Saint Peter, Nicollet County, Minnesota this the 3rd day of February, 2022.

______________________________
Chairperson

ATTEST:

______________________________
Rosten Wille
Community Development Director