

**CITY OF SAINT PETER  
PLANNING & ZONING COMMISSION  
Thursday, February 6, 2020 at 5:30 p.m.  
Governors Room – Saint Peter Community Center**

- I. **Call To Order**
- II. **Approval of Agenda**
- III. **Oath of Office**
- IV. **Approval of Minutes**
  - A. September 5, 2019
- V. **Unfinished Business**
- VI. **New Business**
  - A. Dirks – Zoning Ordinance Text Amendment (Automotive Sales in C-2 Districts)
- VII. **Reports**
  - A. Weelborg (Annexation Correction)
- VIII. **Adjourn**

**CITY OF SAINT PETER, MINNESOTA  
OFFICIAL PROCEEDINGS  
MINUTES OF THE PLANNING AND ZONING COMMISSION MEETING  
September 5, 2019**

Pursuant to due call and notice thereof, a regular meeting of the Planning and Zoning Commission of the City of Saint Peter was conducted in the Governors' Room of the Community Center on September 5, 2019.

A quorum present, Chairperson Davis called the meeting to order at 5:30 pm. The following members were present: Commission members Davis, Urban, Rossow, Fichtner, Henry, Parras, and Kvamme. Community Development Director Wille was also in attendance.

**Approval of Agenda** – A motion was made by Rossow, seconded by Urban, to approve the agenda. With all in favor, the motion carried and the agenda was approved.

**Approval of Minutes** – A motion was made by Urban, seconded by Parras to approve the minutes of the August 8, 2019 regular Planning and Zoning Commission meeting. With all in favor, the motion carried and the minutes were approved.

**Registered Land Survey No. 74**

Community Development Director Wille presented a resolution that would approve a Waiver of Subdivision For Lot 2, Block 16 Dodds Addition and accept Registered Land Survey No. 74.

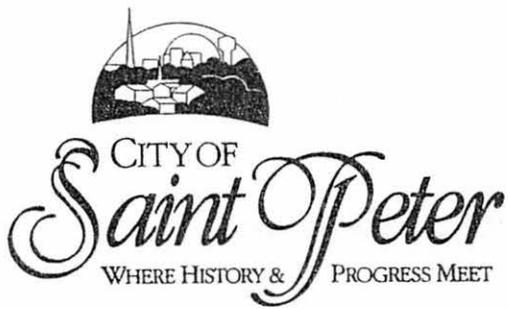
Community Development Director Wille stated that the owner of 804 North Minnesota Avenue acquired the property through a tax forfeiture process. He explained that in order to provide for a clean title, the owner has requested approval of Registered Land Survey No. 74.

Wille stated that acceptance of RLS#74 has no material impact on the development of the property. In addition, it does not alter setbacks, lot coverage, building height or any other regulation of the (C-4) highway Service Commercial or Gateway Overlay zoning district.

A motion was made by Rossow, seconded by Fichtner to introduce Resolution No. 2019-07 entitled, "Resolution Approving Waiver Of Subdivision For Lot 2, Block 16, Dodds Addition, City of Saint Peter, Nicollet County, Minnesota And Accepting Registered Land Survey No. 74". All member voting aye, the Resolution was passed and adopted.

**Adjournment**

A motion was made by Urban, seconded by Fichtner to adjourn. All members voting aye, the meeting adjourned at 5:40 pm.



## Memorandum

To: Planning Commission

Date: January 31, 2020

From: Russ Wille, Community Development Director

RE: Automotive Sales in (I-2) General Industrial Zoning Districts

### ACTION / RECOMMENDATION

Adopt the attached resolution recommending that the City Council provide for an amendment to the text of the Zoning Code to add Automotive Sales to the roster of potential Conditional Uses in the (I-2) General Industrial zoning districts.

### BACKGROUND

For the last few years, Lake Washington Marine and Powersports has operated at 1005 Old Minnesota Avenue. The operation provides for the repair, storage and sales of boats and other recreational equipment. The use would be considered to be Automotive Sales as per the Zoning Code.

The definition of Automotive Sales is as follows:

*"Automotive Sales: Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles and boats, including incidental storage, maintenance, and servicing. Typical uses include new or used car dealerships, motorcycle dealerships and boat, trailer and recreational vehicle dealerships."*

Due to the pending sale of the 1005 Old Minnesota Avenue by the owner, the boat dealership is being forced to relocate.

With a desire to remain in Saint Peter, the operations have been relocated to the former Onan Manufacturing facility at 922 North Swift Street. This site is zoned as (I-2) General Industrial by the adopted Zoning Code.

The Zoning Code allows for the repair and storage of boats and recreational equipment. Unfortunately, the Code does not allow Automotive Sales as a Principal Permitted or Conditional Use of land within the (I-2) General Industrial zoning districts.

To allow for the planned uses and occupancy by Lake Washington Marine and Powersports, the owners of the property have paid the appropriate fee and have petitioned for an amendment to the text of the

Zoning Code to add Automotive Sales to the roster of potential Conditional Uses that may be allowed within the I-2 zoning districts.

Given that boat repair and storage are permitted uses of land within the I-2 zoning districts, it is my suggestions that the actual sales transaction, which is prohibited, would not be incompatible with other uses allowed within I-2 zoning districts and could be considered to be incidental to the storage and repair.

It would be my suggestions that the Planning Commission adopt the attached resolution recommending that the City Council accept the Dirks petition and adopt the attached Ordinance providing for the requested text amendment.

#### FISCAL IMPACT

The Dirks have paid the appropriate \$300 fee for consideration of the petitioned amendment. No further fiscal impact is anticipated.

APPLICATION FORM  
CITY OF SAINT PETER, MINNESOTA

Street Location of Property (address) N/A

Owner: Name Blake & Joëllen Dirks

Address \_\_\_\_\_

Applicant: (If different from owner) Name Blake Dirks

Address 922 N. Swift St, St. Peter

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

Description of Request: Text amendment to add "Automotive Sales" to the roster of Conditional Uses w/in the (1-2) General Industrial zoning districts.

- On letter  
Applicant Signature \_\_\_\_\_  
Date 12/23/2019

(To be filled in by City Officials)

Petition received with fee \$ 300<sup>00</sup> on 12/23/2019 by RW

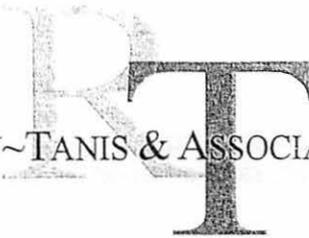
Action of Variance Board (if request is for Variance) N/A

Action of Planning Commission \_\_\_\_\_ Date 02/06/2020

Action of City Council \_\_\_\_\_ Date 02/10/2020

Fee \$ 300<sup>00</sup> Receipt Number # 00460630 Date 12/23/2019

MICHAEL K. RILEY, SR.  
PAUL H. TANIS, JR.\*  
R. ANTHONY (TONY) SCHMIT♦

  
RILEY~TANIS & ASSOCIATES, PLLC  
*Attorneys & Counselors at Law*

MALCOLM K. MACKENZIE (1926-2012)  
W.M. GUSTAFSON (1929-2017)

December 23, 2019

Russ Wille  
City of St. Peter  
(Hand Delivered)

Re: B J Swift LLC – Proposed Additional Conditional Use

Dear Mr. Wille:

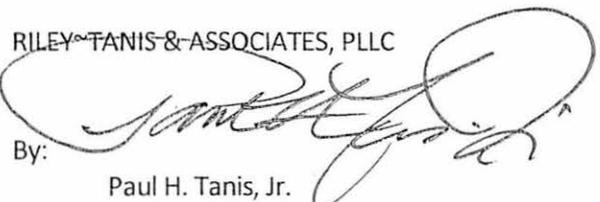
I represent Blake and JoEllen Dirks under the name of their company, B J Swift LLC. This LLC owns the former Onan/Cummins building at 922 North Swift (I-2 zoned property). Recently, the Dirks bought the Swift Street property from Scott Churchill. They immediately leased the property to Chris Schmidt, d/b/a Lake Washington Marine, with the primary intention of using the facility to seasonally store boats, RVs, and collector cars. Mr. Schmidt also intends to move his business, presently located at 1005 North Minnesota Avenue to the Swift Street property. That planned relocation would include a boat and automobile “sales and repair” operation. The Dirks have recently learned that automobile and boat sales/repair services are not allowed in an I-2 zoned parcel.

On behalf of the Dirks, I ask that the City of St. Peter add to the “conditional uses” available for an I-2 zoned property, the conditional use of “automobile sales”. It is my understanding that this additional conditional use would allow Chris Schmidt to buy and sell boats and automobiles from the Swift Street property as well as make mechanical repairs to boats and automobiles. Of course, if the additional conditional use is added, the Dirks would request a Conditional Use Permit for automobile sales.

Enclosed is my firm’s client disbursement check in the amount of \$300.00 which I understand is required as a fee associated with a request for an additional conditional use. If greater formality is required to secure this additional conditional use, kindly advise.

Very truly yours,

RILEY~TANIS & ASSOCIATES, PLLC

By: 

Paul H. Tanis, Jr.

PHT:js  
Enclosure

cc: Blake & JoEllen Dirks  
Chris Schmidt

- (4) **Automotive and equipment services:** Establishments or places of business primarily engaged in automotive-related or equipment sales or services. The following are automotive and equipment use types:
- a. **Automotive washing:** Washing and cleaning of automobiles and related light equipment. Typical uses include auto laundries or car washes.
  - b. **Service station:** Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles.
  - c. **Commercial off-street parking:** Parking of motor vehicles on a temporary basis within a privately owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.
  - d. **Automotive rentals:** Rental of automobiles, noncommercial trucks, trailers, and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies and taxi parking and dispatching.
  - e. **Automotive sales:** Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new or used car dealerships, motorcycle dealerships and boat, trailer and recreational vehicle dealerships.
  - f. **Equipment sales:** Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile homes sale establishments.
  - g. **Automotive repair services:** Repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts.
  - h. **Equipment repair services:** Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but excluding dismantling or salvage.
  - i. **Vehicle storage:** Long term storage or operational or nonoperational vehicles. Typical uses include storage of private parking tow-aways or impound yards, but exclude dismantling or salvage.

# CURRENT ORDINANCE

## DIVISION 14. - I-2 GENERAL INDUSTRIAL DISTRICT

### Sec. 24-408. - Statement of intent.

The I-2 General Industrial District is intended and designed to provide areas of the City suitable for activities and uses that are of an industrial nature. It is further intended that industrial and related commercial uses be the predominate use of land within the I-2 General Industrial District.

(Ord. No. 394(2nd Ser.), § 1(11.19), 11-26-2007)

### Sec. 24-409. - Principal permitted uses.

Only the following uses of structures or land shall be permitted within the I-2 district:

(1) *Civic uses.*

- a. Administrative services.
- b. Local utility services.
- c. Maintenance and service facilities.
- d. Postal facility.
- e. Safety services.

(2) *Commercial uses.*

- a. Adult uses.
- b. Agricultural sales and services.
- c. Automotive and equipment services:
  1. Automotive washing.
  2. Equipment sales.
  3. Equipment repair services.
  4. Vehicle storage.
- d. Construction sales and services.
- e. Convenience storage.
- f. Kennels.
- g. Laundry services.
- h. Parking facility.
- i. Research services.

(3) *Industrial uses.*

- a. Custom manufacturing.
- b. Light manufacturing.
- c. Warehousing and distribution (limited and general).

(Ord. No. 394(2nd Ser.), § 1(11.19), 11-26-2007)

### Sec. 24-410. - Conditional uses.

# CURRENT ORDINANCE

The following uses of land and structures may be allowed within the I-2 General Industrial District subject to the review and approval of the Board of Appeals and Adjustments provided in this chapter:

- (1) *Civic uses.*
  - a. Aviation facilities.
  - b. Detention facilities.
  - c. Major utility services.
  - d. Military installation.
  - e. Railroad facilities.
  - f. Transportation terminals.
- (2) *Commercial uses.* Scrap and salvage services.
- (3) *Industrial uses.*
  - a. Basic industry.
  - b. Materials recycling services.

(Ord. No. 394(2nd Ser.), § 1(11.19), 11-26-2007)

## Sec. 24-411. - Development regulations.

Unless otherwise provided in this chapter, each development within the I-2 General Industrial District shall be subject to the following minimum requirements:

- (1) Lot area: 20,000 square feet.
- (2) Lot width: 150 feet.
- (3) Front yard: 25 feet.
- (4) Side yard: 25 feet.
- (5) Rear yard: 25 feet.
- (6) Maximum height: 75 feet.
- (7) Maximum lot coverage: 70 percent.

(Ord. No. 394(2nd Ser.), § 1(11.19), 11-26-2007)

## Sec. 24-412. - Off-street parking and loading.

Unless required as a condition of approval and resulting from Planning and Zoning Commission and City Council review as provided in section 24-410, all uses within the I-2 General Industrial District shall provide the required off-street parking and loading as prescribed in article III of this chapter.

(Ord. No. 394(2nd Ser.), § 1(11.19), 11-26-2007)

## Secs. 24-413—24-437. - Reserved.

PROPOSED

ORDINANCE NO. \_\_\_\_\_, THIRD SERIES

**AN ORDINANCE AMENDING SAINT PETER CITY CODE, CHAPTER 24, LAND USE REGULATIONS AND ZONING, SECTION 24-410 BY THE ADDITION OF AUTOMOTIVE SALES TO THE ROSTER OF CONDITIONAL USES WITHIN THE (I-2) GENERAL INDUSTRIAL DISTRICT AND ADOPTING BY REFERENCE SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS**

WHEREAS, Blake and JoEllen Dirks have proposed an amendment to Saint Peter City Code, Chapter 24, Land Use Regulations and Zoning to add "Automotive Sales" to the roster of conditional uses within the (I-2) General Industrial zoning district; and

WHEREAS, following public notice as required by State Statute, a public hearing was held by the Saint Peter City Council on February 10, 2020 for the purpose of soliciting citizen input regarding the subject amendment to the Saint Peter City Code; and

WHEREAS, the City Council finds that the requested amendment to the Saint Peter City Code is consistent with the provisions of the comprehensive plan for the development of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA DOES HEREBY ORDAIN:

Section 1. The following changes to City Code Chapter 24, "Land Use Regulations and Zoning": are hereby adopted:

**Sec.24-410. Conditional Uses.**

The following uses of land and structures may be allowed within the I-2 General Industrial District subject to the review and approval of the Board of Appeals and Adjustments provided in this chapter.

**(1) Civic Uses**

- a. Aviation facilities.
- b. Detention facilities.
- c. Major Utility services.
- d. Military installation.
- e. Railroad facilities.
- f. Transportation terminals.

**(2) Commercial Uses**

- a. Scrap and salvage services.
- b. Automotive sales

**(3) Industrial Uses**

- a. Basic industry.
- b. Materials recycling services.

Section 2. All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 10<sup>th</sup> day of February, 2020.

ATTEST:

\_\_\_\_\_  
Todd Prafke  
City Administrator

\_\_\_\_\_  
Charles Zieman  
Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent

Published in the Saint Peter Herald on \_\_\_\_\_, 2020.

CITY OF SAINT PETER  
PLANNING & ZONING COMMISSION  
RESOLUTION NO. 2020 - 01

STATE OF MINNESOTA)  
COUNTY OF NICOLLET)  
CITY OF SAINT PETER)

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND SAINT PETER CITY CODE, CHAPTER 24, TO ADD AUTOMOTIVE SALES TO THE ROSTER OF CONDITIONAL USES THAT COULD BE CONSIDERED WITHIN THE (I-2) ZONING DISTRICTS**

WHEREAS, the Planning Commission has considered an amendment to the Zoning Code as it regulates the potential location for the establishment of an Automotive Sales use; and

WHEREAS, Blake and JoEllen Dirks have purchased the property located at 922 North Swift Street in Saint Peter; and

WHEREAS, the Dirks have leased the property to a boat repair, storage and sales operation which would be classified as "Automotive Sales"; and

WHEREAS, the property in question is currently zoned (I-2) General Industrial; and

WHEREAS, Automotive Sales are not on the roster of Principal Permitted or Conditional Uses allowed within the (I-2) General Industrial zoning district; and

WHEREAS, the Dirks have paid the appropriate fee for consideration of an amendment to the text of the adopted Zoning Ordinance; and

WHEREAS, the Dirks have petitioned to amend the text to add Automotive Sales to the roster of potential Conditional Uses which may be contemplated within an (I-2) General Industrial zoning district; and

WHEREAS, the Planning and Zoning Commission has considered the petitioned amendment and have determined that Automotive Sales would not be incompatible with the other permitted or conditional uses allowed within an (I-2) General Industrial zoning district; and

WHEREAS, the Planning and Zoning Commission has found that the requested amendment to the City Code would not be contrary to the provisions of the Comprehensive Plan for the development of the City.

WHEREAS, the Commission recommends that the Zoning Code be amended to add the Automotive Sales use classification to the roster of potential conditional uses of land in the (I-2) General Industrial zoning districts; and

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

1. A recommendation is made to the City Council to adopt the petitioned amendment to the zoning ordinance to add Automotive Sales to the roster of potential Conditional Uses allowed within the (I-2) General Industrial zoning districts.

Adopted by the Saint Peter Planning and Zoning Commission this the 6<sup>th</sup> day of February, 2020.

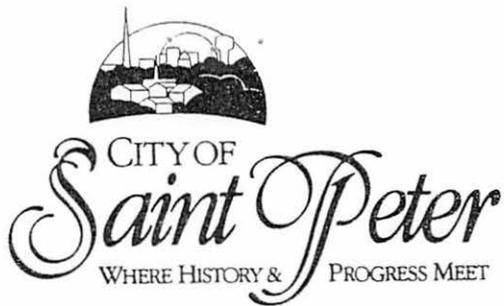
ATTEST:

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Chairperson

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Rosten Wille  
Community Development Director



## Memorandum

To: Planning Commission

Date: January 31, 2020

From: Russ Wille, Community Development Director

RE: Weelborg / GAC Annexation – Map Correction

### ACTION / RECOMMENDATION

No action requested at this time.

### BACKGROUND

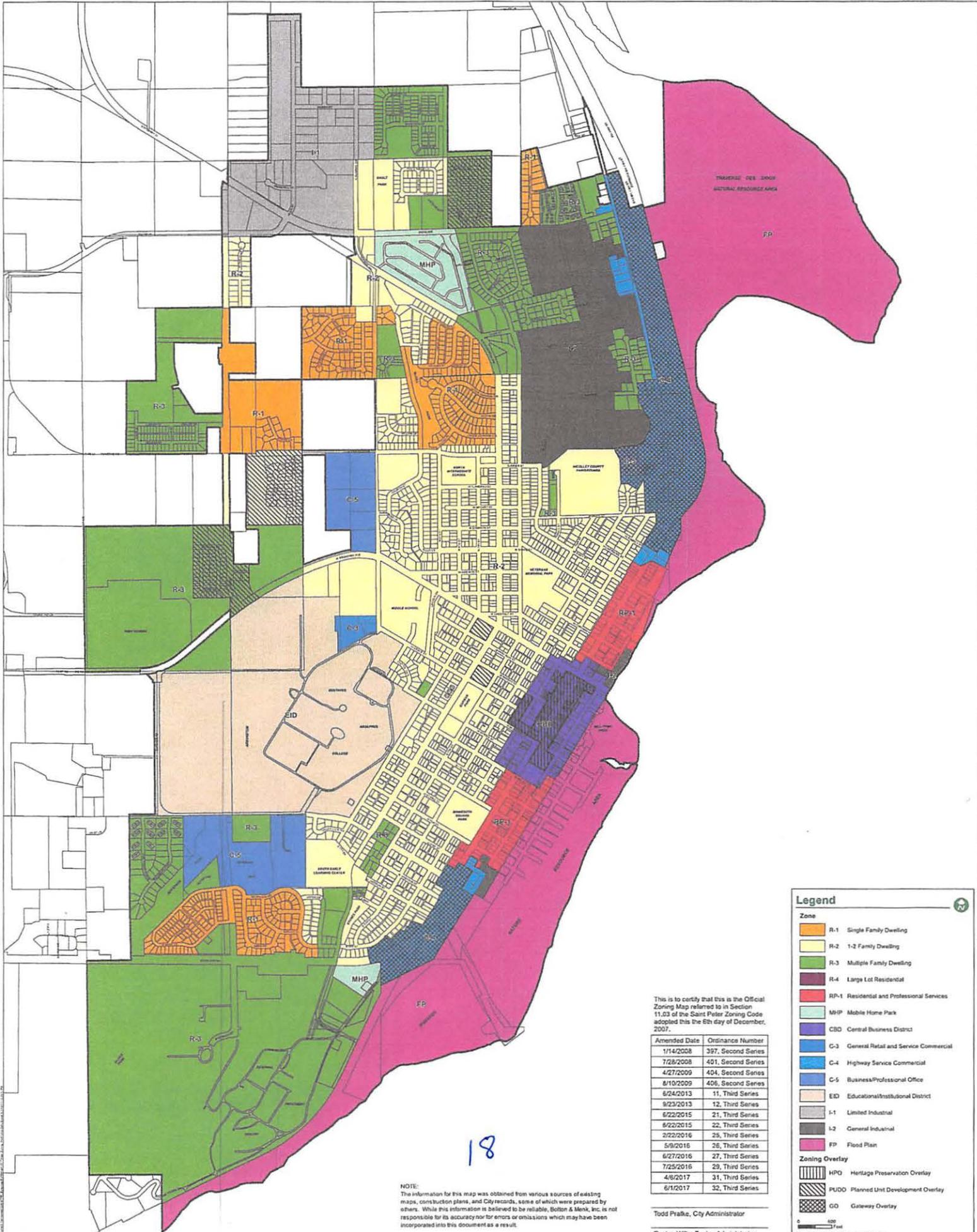
It has been determined that the former KRBI radio tower site and an abutting six foot strip of land (see photos) owned by Gustavus Adolphus College has not been properly annexed in to the City of Saint Peter.

To remedy the matter, the owners have consented to annexation of their properties to correct the oversight and error.

At the March meeting of the Planning Commission, the Commission will be asked to initiate the annexations and recommend that the City Council annex the properties by ordinance. State Statute allows for annexation by ordinance given that the properties are 100% surrounded by lands within the City.

### FISCAL IMPACT

The process is being initiated by the Planning Commission so that the affected property owners are not burdened with the payment of the \$500 fee to correct the City's error.



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This is to certify that this is the Official Zoning Map referred to in Section 11.03 of the Saint Peter Zoning Code adopted this the 6th day of December, 2007.

Amended Date	Ordinance Number
1/14/2008	397, Second Series
7/28/2008	401, Second Series
4/27/2009	404, Second Series
8/10/2009	406, Second Series
6/24/2013	11, Third Series
9/23/2013	12, Third Series
6/22/2015	21, Third Series
6/22/2015	22, Third Series
2/22/2016	25, Third Series
5/9/2016	26, Third Series
6/27/2016	27, Third Series
7/25/2016	29, Third Series
4/6/2017	31, Third Series
6/1/2017	32, Third Series

Todd Prajke, City Administrator  
Rosten Will, Zoning Administrator

**Legend**

**Zone**

- R-1 Single Family Dwelling
- R-2 1-2 Family Dwelling
- R-3 Multiple Family Dwelling
- R-4 Large Lot Residential
- RP-1 Residential and Professional Services
- MHP Mobile Home Park
- CBD Central Business District
- C-3 General Retail and Service Commercial
- C-4 Highway Service Commercial
- C-5 Business/Professional Office
- EID Educational/Institutional District
- I-1 Limited Industrial
- I-2 General Industrial
- FP Flood Plain

**Zoning Overlay**

- HPO Heritage Preservation Overlay
- PLUDO Planned Unit Development Overlay
- GO Gateway Overlay

0 500 Feet  
Source: City of Saint Peter, Aerial Imagery

**NOTE:**  
The information for this map was obtained from various sources of existing maps, construction plans, and City records, some of which were prepared by others. While this information is believed to be reliable, Bolton & Menk, Inc. is not responsible for its accuracy nor for errors or omissions which may have been incorporated into this document as a result.

**Legend**

- Street Names - Medium
-  County Boundary
-  City Limits
-  Railroad
-  Parcels (1-24-2019)
- Stpe\_City19\_3inch.sid
-  Red: Band\_1
-  Green: Band\_2
-  Blue: Band\_3

11



**Map Name**



**Disclaimer:**

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Saint Peter is not responsible for any inaccuracies herein contained.