I. Call To Order  
II. Oath of Office  
III. Approval of Agenda  
IV. Election of Officers  
V. Approval of Minutes  
   A. December 7, 2021  
VI. Public Hearing  
   A. City of Saint Peter (602 Sunrise Drive) Fire Station Conditional Use Permit  
VII. New Business  
   A. City of Saint Peter (602 Sunrise Drive) Fire Station Conditional Use Permit  
VIII. Unfinished Business  - NONE  
IX. Adjourn  

Russ Wille  
Director of Community Development
Pursuant to due call and notice thereof, a meeting of the Board of Appeal and Adjustment's of the City of Saint Peter was conducted on December 7, 2021.

A quorum present, Chairperson Larry Potts called the meeting to order at 5:35 pm. Members were present included: Potts, Keri Johnson, and Shanon Nowell with members Chuck Zieman and Andy Davis absent. Visitor present was Chris Wand (Primus Companies, of Cedar Lakes, Iowa) representing Broken Tooth Properties, LLC.

Approval of Agenda — A motion was made Nowell, seconded by Johnson to approve the agenda. With all in favor, the agenda was approved as presented.

Approval of Minutes — A motion was made by Johnson, seconded by Nowell to approve the minutes of the April 15, 2021 meeting with a spelling correction of Chuck Zieman. With all in favor, the motion carried and the minutes were approved as amended.

Public Hearing – St. Peter Family Dental – Side Yard Setback Variance

City Administrator Prafke provided a staff report and stated that 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.

When the original property was constructed in 1996, the zoning ordinance required a ten (10) feet setback. Prafke indicated that the structure was placed upon the property to allow for a future expansion.

Since that time, the zoning ordinance underwent a comprehensive alteration and rewriting, at which time the side yard setback was increased from ten (10) feet to fifteen (15) feet in a C-3 district.

City Administrator Prafke stated that the Planning and Zoning Commission has reviewed the following criteria required to allow for a variance; 1) the proposed use of the property is "reasonable", 2) there are circumstances which are unique to the property which have not resulted from an action of the property owner, and 3) it is shown that granting the variance as petitioned would not alter the "essential character" of the immediate vicinity. Because the criteria was met, the Planning and Zoning Commission has made a recommendation to the Board of Zoning Appeal and Adjustments approve the variance application submitted by Broken Tooth Properties LLC.

Potts opened the public hearing at 5:37 pm.

Wand addressed the Board and stated that Primus Company specializes in dental clinics and has been hired as the architectural and general contractor for the expansion of the dental clinic.
He explained that the proposed addition would be up to the ten (10) foot setback. He stated that at the time he met with the Planning and Zoning Commission, plans indicated that there were no steps leading to the rear entrance. Since that time the plans have changed and steps have been added to the rear entrance.

Wand noted that the civil engineer has worked through the calculations related to stormwater and that they are working with the electric department on relocating a transformer that serves the dental office as well as surrounding properties.

Nowell expressed her concern with handicap accessibility. She assumed that the rear parking lot would be used by staff and the front lot for customers.

Prafke indicated that the City Code addresses handicap parking. He stated that if the front lot meets the required number of handicap stalls, it would not be a requirement for the upper lot to be handicap accessible.

Potts closed the public hearing closed at 5:46 pm.

**St. Peter Family Dental – Side Yard Setback Variance**

A motion was made by Nowell, seconded by Johnson to introduce Resolution No. 2021-03 entitled, "Resolution Approving A Variance Application Submitted By Broken Tooth Properties, LLC (402 Sunrise Drive) To Allow For The Expansion Of The Dental Clinic Structure Within 10 Feet Of The Southern (Side) Lot Line". With all members voting aye, the Resolution was passed and adopted.

**Adjournment** - A motion was made by Johnson, seconded by Nowell to adjourn. With all members voting aye, the meeting adjourned at approximately 5:48 pm.
To: Board of Zoning Appeals

From: Russ Wille, Community Development Director

RE: Saint Peter Fire Station (602 Sunrise Drive)
Conditional Use Permit

ACTION / RECOMMENDATION

Adopt the attached resolution granting 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 at the intersection of Mulberry Street and Third Street in downtown Saint Peter.

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 multiple 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 considered was 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. It was ultimately determined that the appropriate warning signage would be recommended but not made a condition of approval.

As they undertake their review of the CUP application, if the Board of Zoning Appeals 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.

At the conclusion of their review, the Planning Commission recommended that the Board of Zoning Appeals grant the petitioned Conditional Use Permit in the absence of any imposed conditions.
# 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 #:** 507.934.0662  
**Address:** 227 S. Front St., Saint Peter, MN 56082

### APPLICANT (if different from Owner)

**Name:** City of Saint Peter  
**Phone #:** 507.934.0662  
**Address:** 227 S. Front St., Saint Peter, MN 56082

### Type of Request:

- [ ] Rezoning
- [ ] Conditional Use
- [ ] Application for Subdivision
- [ ] Annexation
- [ ] Vacate Public Ways
- [ ] Variance
- [ ] Other

### 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:** [Signature]  
**Date:** 1/25/2022

### TO BE FILLED IN BY CITY OFFICIAL

- **Petition received with fee $400.00** on 1/25/2022
- **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)
CITY OF SAINT PETER
BOARD OF ZONING APPEALS & ADJUSTMENTS
RESOLUTION NO. 2022 -

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

RESOLUTION GRANTING 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 recommended that the Board of Appeals and Adjustments grant the Conditional Use Permit in the absence of any conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS & ADJUSTMENTS OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, that:

1. 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 Board of Zoning Appeals & Adjustments of the City of Saint Peter, Nicollet County, Minnesota this the 24th day of February, 2022.

________________________________________
Chairperson

ATTEST:

________________________________________
Rosten Wille
Community Development Director