

**CITY OF SAINT PETER, MINNESOTA
OFFICIAL PROCEEDINGS – REGULAR MEETING
MINUTES OF THE PLANNING AND ZONING COMMISSION
October 1, 2020**

Pursuant to due call and notice thereof, a regular meeting of the Planning and Zoning Commission of the City of Saint Peter was conducted virtually on October 21, 2020. Community Development Director Russ Wille called the meeting to order at 5:33 pm. The following Commissioners were present: Andy Davis, Joe Urban, Ken Rossow, Scott Fichtner, Shanon Nowell, Kelly Henry (5:35 pm), and Brad DeVos. City staff present were Community Development Director Wille and Administrative Secretary Cindy Moulton. Visitor present was Jesse Lager representing Brad Baker.

Approval of Agenda

A motion was made by Rossow, seconded by Urban to approve the agenda as presented. With all in favor, the agenda was approved.

Approval of Minutes

Minutes of the September 17, 2020 Planning and Zoning meeting will be distributed at the next regular meeting.

Brad Baker (Zoning Text Amendment) Gateway Overlay District

Brad Baker owns the property located at 967 North 3rd Street. Wille stated that the property is zone (C-4) Highway Service Commercial and is subject to the regulations and standards of the Gateway Overlay (GO) districts.

Wille stated that Baker intends to construct a privately financed field house which will include batting cages, but will also accommodate a number of similar indoor recreation uses. The use is classified as “Indoor Sports and Recreation” in the Zoning Code.

Wille indicated that Baker prepared building plans that conform to the provisions of Section 24-466 as it pertains to enhanced exterior finish upon each of the four exterior facades. After receiving construction estimates and bids, Baker determined that providing the enhanced facades will be cost prohibitive and will have to forgo the project.

As a result, Baker submitted an application for a Zoning Text amendment to require enhanced exterior finishes be required only upon facades exposed to a public street or park.

Lager, stated that Baker is requesting that two sides of the structure meet the GO ordinance versus all four sides. He indicated that only two of the sides of the structure are visible from a public roadway.

Davis and Urban agreed that it was not an unreasonable request.

DeVos felt that the GO is missing the point by requiring structures facing city streets to meet the requirements. It was his understanding that the GO only addresses the façades visible to Highway 169. He stated that he would be in favor of an amendment to the ordinance modifying it to apply only to sides visible from Highway 169 and not side streets. Fichtner agreed.

Nowell indicated that she had no problem with the project. In this instance, she felt a waiver could be granted due to the lack of visibility from Old Minnesota and Highway 169.

Rossow commented that the objective of the GO district is admirable but felt the need to be very careful that it is not a hindrance for development that would enhance the community.

Rossow complimented Baker for his interest in the project and said it will be an asset to the community. He also extended his compliments to the City in terms of their administration supporting this and willingness to modify the GO to the extent of making a development possible and the project feasible with keeping the intent of the GO.

Henry does not want to discourage projects but also wants the gateway to the community to be attractive. She suggested reviewing projects on a case by case basis.

DeVos felt it was unnecessary to require the west side of the building meet the GO and that the emphasis be placed on the east side because of its visibility from Highway 169.

Davis asked if the Dollar General were to be redeveloped, would they be required to meet the GO because of their visibility from the street and the highway. He also asked if the amendment should be clarified to read exposed to "public thorough fares".

Davis wanted the language to capture those sides visible from Hwy 169 such as the north side of Dollar General. He suggested the language read "clearly visible from a public street".

Wille suggested that the language include "all finishes fronting a public street" since that was the intent of the amendment.

Wille said with the inclusion of clearly visible from a public street that could be clearly anything.

Nowell commented that "clearly" is subjective and was comfortable with the current language of the ordinance or some variant of the language.

Wille suggested "abutting a public street or park".

Nowell said that was clearer but didn't think it necessarily gets at the purpose.

Urban liked the original language of the "façade facing the street" because that is what people are going to see. He expressed his concern that should the property adjacent to the fieldhouse be redeveloped, it would block the rear of the building. He did not feel that money should be invested enhancing the rear of the building with the chance that the building may be visible in the future.

Rossow felt the interpretation of the Ordinance was different for each person. He felt the requirements should be considered as to the purpose of the building and was in favor of Baker's request.

DeVos once again mentioned he did not feel the west side is necessary and that it would drive up the cost. He indicated it was his understanding that the whole point of the GO was to enhance what the people driving down Highway 169 are seeing. He said he would feel bad approving an amendment if Baker is required to meet the GO on the west side. He felt the district was very broad and felt the need for individual consideration of properties between Old Minnesota and Third Street. He thought this may be a situation that should be considered on a case by case basis.

Wille stated that GO district properties cannot be reviewed on a case-by-case basis unless a variance is requested.

Nowell didn't feel the property belonged in the district and asked if there was an option to remove it.

Wille stated that in order to remove a property from the GO, it would require City Council action or Mr. Baker requesting to move that property from the GO.

DeVos thought Nowell had a valid point.

Wille indicated that the Planning and Zoning Commission could initiate the process of the ordinance change which would relieve Baker from being the applicant and having to pay the fee.

Fichtner said that he would prefer the property be removed but wanted to have a GO requirement.

Davis said regardless if the property is removed from the district, the language makes sense.

A motion was made by Davis, seconded Rossow to introduce Resolution No. 2020-09 entitled, "Resolution Recommending That The City Council Amend Saint Peter City Code, Chapter 24, Section 24 – 446 To Only Require Enhanced Exterior Finishes On Building Facades Facing A City Street Or City Park In The Gateway Overlay Zoning Districts". Members Davis, Urban, Fichtner, Rossow and Henry voting aye, Members DeVos and Nowell voting nay, the Resolution was passed and adopted.

Brad Baker (Conditional Use Permit) Indoor Sports & Recreation

Brad Baker has submitted a Conditional Use Permit to allow for the establishment of an Indoor Sports & Recreation (Field House) use within the (C-4) Highway Service Commercial zoning district at 967 North 3rd Street.

Wille stated that Baker intends to construct 60' x 80' privately financed field house. The use would be classified as "Indoor Sports and Recreation" which is listed as a conditional Use within the C-4 District.

Wille indicated that the Zoning Code establishes seventeen (17) standards for the review of Conditional Use Permit applications. Wille noted that upon review of the standards he found little that would pose any conflict with other principle permitted uses in the vicinity.

He stated that Standard 14 addresses an increased burden on any essential utility system or facilities unless provisions are made for any necessary adjustments. Willie indicated that the City is planning for a future Brown Street regional stormwater detention basin in order to meet the MS4 requirements imposed by the State. Upon construction of the detention basin, Bakers property would be assessed due to their property's stormwater draining to that basin.

Fichtner asked if there is a sufficient number of parking spaces.

Wille said that there will be 9 spaces as required by the Zoning Code and those spaces are wider than the 9 ½' that is required.

A motion was made by Urban, seconded by DeVos to introduce Resolution No. 2020-10 entitled, "Resolution Recommending The Conditional Approval Of A Conditional Use Permit Application Submitted By Brad Baker To Allow For The Establishment Of An Indoor Sports And Recreation (Field House) Use At 967 North 3rd Street". With all members voting aye, the Resolution was passed and adopted.

Reports

Lake Washington Marine – Lake Washington Marine was issued a Conditional Use Permit (with several conditions), by the Board of Zoning Appeals and Adjustments on April 23, 2020. Wille reported that all of the conditions are yet to be met. He indicated that he has signed and delivered an affidavit of violation to the City Attorney's office which in turn will be served to property owner Blake Dirks. The affidavit gives a firm deadline to come into compliance. Dirks and Attorney Paul Tanis have requested a meeting with City Administrator Todd Prafke and City Attorney Jim Brandt. The meeting has been scheduled for the week of October 5, 2020.

Adjournment

There being no further business, a motion was made by Urban, seconded by Rossow, to adjourn. With all in favor, the motion carried and the meeting adjourned at 6:25 pm.