

Meeting Minutes
New Prague Planning Commission
Wednesday, March 26, 2008

1. Call Meeting to Order

The meeting was called to order at 6:34 p.m. by Planning Commission Vice Chairperson Pat Remfert with the following members present: Bob Gilman and Kay Wilcox. Absent were Grant Gengel and Jim Kratochvil.

City Staff Present: Ken Ondich – Acting Planning Director, Ryan Streff – Planning Intern

2. Approval of February 27, 2008 Regular Meeting Minutes

It was moved Gilman, seconded by Wilcox to approve the February 27, 2008 regular meeting minutes as submitted. Motion carried (3-0, Gengel and Kratochvil Absent).

3. Request to re-open Conditional Use Permit Amendment #C8-2004 – Outdoor Patio Areas – Extreme Investors of New Prague – applicant

Planning Intern Streff presented the staff report. He stated that additional outdoor seating will be created and will allow for eating and drinking services on all outdoor patio areas. He stated that the re-opening of this CUP will make all outdoor areas Legal Conforming with the Zoning Ordinance. He stated that the CUP would include a screened in porch on the east side which would also be used for eating and drinking services, in addition to two open air outdoor patios, one on the Southside (existing patio area) and one on the Eastside (north of the screened in porch). He stated that the CUP was for the property owned by Extreme Investors of New Prague and was located on Lot-001 Block-001, East Town Plaza, LeSueur County, Minnesota (825 1st St SE), was on a parcel of land that consisted of 1.5 acres and was zoned in the B-2 Community Commercial District. He stated that the patio design will consist of seating that is good quality patio or café type furniture that enhances the appearance of the business, has a seating area with a permanent surface, and has seating that is located so as not to compromise safety. He stated that other requirements will have to be met which include the Outdoor Seating Performance Standards and setbacks which are both set forth in the Zoning Ordinance. He stated that the Classic Grille and Bar has 63 parking spaces in their parking lot for the restaurants use, which would put them at their maximum parking allotted. He stated that if any other type of seating would be added the parking lot would not be adequate in terms of parking spaces required for the restaurant. He stated that staff recommends that the Planning Commission recommend approval of the request to re-open conditional use permit #C8-2004 to allow additional outdoor seating for food and drinking services and to allow both eating and drinking on their current outdoor patio areas, located at 825 1st St SE, as proposed by Extreme Investors of New Prague with all findings and conditions listed in the staff report.

The public hearing was opened at 6:54 P.M.

With no public comments received the public hearing was closed at 6:55 P.M.

Commissioner Gilman stated that he preferred the canopy roof style as opposed to the rubber roof that had no canopy to complement the other canopies on the building. He stated that he liked the idea of as much screen as possible with a kickboard on the bottom.

Commissioner Wilcox stated that she wanted to see the use of an aesthetic fence on the south patio.

Commissioners Wilcox, Gilman, and Remfert stated that they are O.K. with staffing approving the porch/patio and landscaping designs.

It was moved by Wilcox, seconded by Gilman to recommend approval to amend Conditional Use Permit #C8-2004 for the Classic Grille and Bar located at 825 1st St SE in the B-2 Zoning District as proposed by Extreme Investors of New Prague with the following findings:

1. The use complies with the purpose and intent of the New Prague Comprehensive Plan and Subdivision Ordinance.
2. The use conforms to the requirements of the B-2 Community Commercial District in which it is located.

And with the following conditions:

1. All patio areas must have permanent and attractive fencing at a minimum of 4' in height along with landscaping to achieve at least 50% opacity.
2. A minimum 4' walkway must be maintained in outdoor patio and screen porch areas.
3. Existing fencing/landscaping shall be upgraded to meet current Performance Standards set forth in the zoning ordinance.
4. Amending this Conditional Use Permit and also the Liquor License would make all outdoor areas Legal Conforming Patios with the Zoning ordinance.
5. Any additional seating over thirty (30) seats shall provide required parking based on one (1) space per three (3) seats (see parking attachment).
6. The construction plans for the screened porch and landscaping will require a Plan Review by the Planning Staff within 2 years of approval of this Conditional Use Permit.
7. Approval is granted in accordance with the site plan showing patio/screen porch locations and dated 3/26/2008.
8. The screen porch will require a canopy style roof to match the existing canopies along with a kick plate along the bottom of the porch.

Motion carried: Ayes 3 Nays 0

4. Request for Preliminary and Final Plat – New Prague Business Park 10th Addition City of New Prague EDA and Randy Kubes - applicants

Planning Director Ondich presented the staff report. He stated that New Prague EDA owns the majority of the site being platted which will be the home of the new Emergency Services Center. He stated that the project has been bid out with construction starting this spring. He stated that the Zoning Ordinance requires land to be platted before a building permit can be issued which in this case the land has not been previously platted. He stated that 5th Ave. NW will be continued

as a public street into the site as it is currently a dead end. He stated that the previous realignment of 6th Street NW at TH 21 left a portion of land owned by Randy Kubes on south side of 6th Street NW. He stated that the City is deeding the vacated 6th Street NW ROW to Mr. Kubes in exchange for the road way realignment location. He stated that the property being platted is Lot 1, Block 1 that contains 4.37 acres, Lot 2, Block 1 that contains .96 acres, and Lot 1, Block 2 that contains 1.55 acres. He stated that all lots meet the minimum area as set forth in the I-1 Industrial zoning district. He stated the minimum lot width is 150' and the proposed Lot 2, Block 1 does not meet the minimum along 5th Ave. NW. He stated that staff recommends a variance be noted for this lot as a preexisting condition of the road realignment and lot area needed for the EMS center. He stated that New drainage and utility easements around the property perimeter will be placed on Lot 2, Block 1 and Lot 1, Block 1 as they either are not publicly owned or may be sold to private entities in the future. He stated that site accesses will be constructed this year and no direct access to TH 21 will be allowed. He stated that a 5' sidewalk along south side of 6th Street NW exists and that staff suggests a continuation of this sidewalk into the EMS Center site for easy access. He stated that the property included in the plat was previously developed land and is part of the industrial park. He stated this normally 10% of the land that is being platted requires park land dedication, but in this case staff is recommending a variance to be noted for no park dedication being required. He stated that MnDot has not responded to the proposed Final Plat drawings at this time but will be within the next week or so. He stated that the Final Plat cannot be approved by the City Council until MnDot's comments have been received. He stated that staff recommends approval of the Preliminary and Final Plat with the finds and conditions listed in the staff report.

The public hearing was opened at 7:25 P.M.

With no public comments received the public hearing was closed at 7:26 P.M.

Reynold Fierst, 404 4th Ave. NW, inquired if fire trucks would be entering and exiting on 5th street.

Planner Ondich stated that 5th street was not able to handle the weight of the trucks and would not be used for this type of traffic. Planner Ondich stated that traffic from the Emergency Service Center would be exiting and entering from 5th Ave NW to 6th Street NW.

Commissioner Wilcox inquired if there was still a road that connected 6th Ave NW to 4th Ave NW.

Planner Ondich stated that this connection was no longer there as a building is know located were this road once existed.

Commissioner Wilcox inquired about the Kubes property and what type of building might be located there.

Planner Ondich stated that the property could hold a building that was 9,000 square feet and would possibly be good for an office location.

Commissioner Remfert inquired about when the Emergency Service Center would be completed.

Planner Ondich stated that the building should be completed by December 2008.

It was moved by Gilman, seconded by Wilcox to recommend approval of the request for Preliminary and Final Plat for the New Prague Business Park 10th Addition with the following findings:

1. The preliminary plat complies with the purpose and intent of the New Prague Comprehensive Plan and Subdivision Ordinance
2. The plat conforms to the requirements of the I-1 Industrial Zoning District in which it is located.

And with the following conditions:

1. Approval is granted in accordance with the preliminary plat (dated 3/17/08) and final plat drawings (dated 3/17/08) on file with the New Prague Planning Department.
2. Approval is subject to all recommendations of the Public Works Director.
3. The final plat must be recorded within 90 days of the date of the City Council granting approval.
4. MnDOT Metro Development Review comments must be received and considered before final plat approval.
5. No direct driveway access to TH 21 (4th Ave. NW) shall be allowed from any lot in this plat.

And noting the following variances:

1. A variance is being acknowledged for lot width on Lot 2, Block 1 along 5th Ave. NW because of the preexisting location of the right of way and preexisting plans for the Emergency Services Center site.
2. Park land dedication is not being required because the site is previously developed land within the city limits and the property is being platted as a requirement of the zoning ordinance before a building permit can be issued.

And noting the following:

1. The Planning Commission suggests that a sidewalk be installed on the east side of 5th Ave. NW between the Emergency Services Center Building and 6th Street NW.

Motion carried: Ayes 3 Nays 0

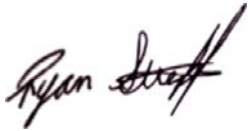
6. Miscellaneous

No miscellaneous items were introduced

7. Adjournment

The meeting was adjourned at 7:30 PM by order of Chair Gengel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan B. Streff". The signature is written in a cursive style with a prominent initial "R".

Ryan B. Streff
Planning Intern