

Meeting Minutes
New Prague Planning Commission
Wednesday, January 26, 2011

1. Call Meeting to Order

The meeting was called to order at 6:32 p.m. by Planning Commission Vice Chair Bob Gilman with the following members present: Ryan Peltier, Bob Gilman, Jay Nuhring and Council Representative David Bruzek. Absent: None.

City Staff Present: Ken Ondich – Planning Director

2. Introduce New Council Representative David Bruzek

The new City Council Representative David Bruzek introduced himself to the Planning Commission.

Planning Director Ondich stated that prior to the February meeting the new Planning Commission Representative should be in place.

3. Approval of November 17, 2010 Regular Meeting Minutes

It was moved by Peltier seconded by Nuhring to approve the November 17, 2010 regular meeting minutes as submitted. Motion carried (4-0).

4. Old Business - None

5. New Business

**A. Zoning Ordinance Amendment Concept Review #2-
Top of Foundation and Final Grade As-Built Surveys for Residential Homes
New Prague Planning Department, Applicant**

Planning Director Ondich presented the staff report. He stated that at the October 4, 2010 City Council Meeting, Council Member Kratochvil initiated discussion regarding as-built surveys. He stated that since the discussion was initiated by the City Council, a survey of area cities was conducted regarding their as-built survey requirements, which is attached to this memo. He stated that the survey attempted to identify that most cities in the area, Prior Lake being an exception, require a “final grade as-built survey” to verify that grading is completed to match the development’s approved grading plan. He added that depending on the level of information on an as-built the City might like to require, the cost for an as-built survey could be estimated anywhere from \$185 to \$800 which would be an additional cost to a builder or homeowner, but would go a long way in helping to catch potential drainage issues before a home is occupied. He stated that at the October 27, 2010 Planning Commission Meeting a couple of questions were raised about if builders, not surveyors could verify the top of block elevations and if the tolerance on

grading could be changed from -.2 to +.5 to -.5 to +.5. He stated that the building official had reviewed the questions and did not support allowing the builders to verify locations without a surveyor to verify and also that going lower than -.2 could negatively impact grading particularly in some backyards. He stated that the amendment to require a top of foundation and final grade as-built survey for residential homes would be made to Zoning Ordinance Section 508, Subd. 3 which currently only contains the requirement for a certificate of survey to be submitted before a permit is issued. He stated that he suggests additional language specific to a requirement for “final grade as-built” surveys as well as a “top of foundation” elevation verification. He stated that the Planning Commission should discuss the proposed amendments and direct staff to advertise for a public hearing following the City Attorney’s review of the amendments.

Commissioner Bruzek asked if staff could make the staff report and ordinance language consistent between stating “top of block” and “top of foundation”.

Planning Director Ondich stated that he would make sure the language is consistent throughout.

Commissioner Nuhring asked why the language had not been provided in the ordinance sooner if it seemed such a simple thing to require.

Planning Director Ondich stated that the additional cost to the builders was one reason why it may not have been enacted earlier and also that there had not been a wide spread issue until some particular areas of Prague Estates were completed with very specific back yard drainage swales with catch basins at certain points. He stated that the elevations of homes and final grade on the lots became much more of concern when the developments started being designed with such specific grade requirements.

The consensus of the Planning Commission was to have the City Attorney review the proposed ordinance and to proceed with a public hearing at a future Planning Commission meeting.

6. Miscellaneous


The following miscellaneous items were reviewed:

- A. Summary of 2010 Growth Statistics – Planning Director Ondich presented the 2010 Growth Statistics report.
- B. Land Use Pyramid of Discretion – Planning Director Ondich presented the Land Use Pyramid of Discretion for review by the Planning Commission Members which outlines how much discretion they have in decision making for certain planning and zoning applications that might come before them for approval. He also stated that he would like to know if any other Planning Commission members would like to take the online Land Use training course that he and Bob Gilman had already taken. Jay Nuhring and David Bruzek indicated that they would like to take the course.
- C. 2011 Meeting Schedule – Planning Director Ondich presented the 2011 Meeting Schedule as information for the Planning Commission.

7. Adjournment

A motion was made by Bruzek, seconded by Peltier to adjourn the meeting at 6:58 PM Motion carried (4-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kenneth D. Ondich". The signature is written in a cursive style with a large, stylized "K" and "O".

Kenneth D. Ondich
Planning Director