

Meeting Minutes
New Prague Planning Commission
Wednesday, October 28, 2009

1. Call Meeting to Order

The meeting was called to order at 6:33 p.m. by Planning Commission Chair Grant Gengel with the following members present: Pat Remfert, Grant Gengel, Kay Wilcox and Bob Gilman. Absent: Ryan Peltier

City Staff Present: Ken Ondich, Planning Director and Renee Christianson, City Planner.

2. Approval of September 23, 2009 Regular Meeting Minutes

It was moved by Wilcox, seconded by Gilman to approve the September 23, 2009 regular meeting minutes as submitted. Motion carried (4-0).

3. Old Business - None

4. New Business

A. Conditional Use Permit #C2-2009 – Church in the B2 Zoning District, New Day Church, applicant

Planner Christianson presented the report which had been prepared for the Planning Commission. She noted that the church is proposed within the existing structure located at 1201 1st Street NE and that the structure has been largely vacant over the last five years. There are no changes proposed to the exterior of the building and minor changes proposed to the interior. The property and surrounding property are zoned B2 Community Commercial, and there is a residential development located in very close proximity, to the north on Ladyslipper Avenue. Access to the site is via two curb cuts; one onto 1st Street NE and one onto Ladyslipper Avenue NE, both leading into separate parking lots. She explained that churches require one parking space per every three seats in the sanctuary. New Day has proposed to add eighteen spaces to the northerly parking lot which will create a total of 51 spaces, which will exceed the required amount of parking. Also proposed are an additional twelve shade trees around the perimeter of the parking lot which will shade the lot, and the addition of a sidewalk leading from the building entrance to the sidewalk along 1st Street NE. The majority of the site drains to a retention pond located northeast of the site. She noted that staff did receive one phone call from an area resident concerned about parking. She also noted that the church will be closing on the property in late November which may be too late to complete the parking lot expansion this year, and a grace period of June 1, 2010 was being recommended by staff. She reviewed the findings and justification for granting the conditional use permit, along with suggested conditions for approval.

Commissioner Peltier entered the meeting.

The public hearing was opened at 6:44 p.m.

Ellen Brezina, 211 Ladyslipper Avenue NE, expressed her concern about parking and traffic in the area. She noted that it would be difficult to back out of the driveways if there were cars parked on the streets.

The public hearing was closed at 6:46 p.m.

Commissioner Gengel stated that parking was also a concern for him and that he was glad to see additional parking spaces are proposed. He also asked about other churches in the community, and whether or not they met the requirements and whether the requirements seem to be adequate for other facilities. Planner Christianson noted that both Holy Trinity Church and the Church of Latterday Saints meet the parking requirements and there has been no problem with spillover parking.

Commissioner Wilcox asked the minister to describe the schedule of the events that are proposed at the church. Doyle VanGelder stated that the most intensive use will be on the weekends and that he does not imagine that their use will exhaust the proposed parking plan on any given night. Commissioner Wilcox stated her support for the use.

It was moved by Gilman, seconded by Wilcox, to recommend approval of the request for conditional use permit #C2-2009 to allow a church to locate at 1201 1st Street NE in the B2 Community Commercial Zoning District, with the following findings:

- A. The proposed church will not create an excessive burden on existing parks, schools, streets and other public facilities which serve the area. Existing parks, roads and utilities are adequate to service the proposed church.
- B. The proposed use is compatible with the surrounding development. The church will operate out of an existing structure which is of high quality design and is compatible with the surrounding commercial and residential developments.
- C. The structure and site have been designed in an attractive manner and have existed in this location for several years with no evidence of having an adverse effect upon adjacent residential property values based on the appearance of the site or building. The building is of high quality materials, all storage and dumpsters are screened, and the landscaping on the site is attractive.
- D. The proposed use of the property as a church is compatible with the surrounding commercially zoned property.
- E. The use is consistent with the purposes of the zoning ordinance and the purposes of the B2 zoning district.
- F. The proposed use of the property as a church is not in conflict with the Comprehensive Plan of the City.
- G. The use will not cause traffic hazard or congestion.
- H. Adequate utilities, access roads, drainage and necessary facilities are provided to the site.
- I. Section 505 (2) of the Zoning Ordinance states that the City Council may consider a conditional use permit for a use which is not specifically listed in the affected zoning district and may grant a permit if the use is found to otherwise meet the criteria for

granting a conditional use permit. The proposed church has been found to meet the criteria for granting a conditional use permit.

And with the following conditions:

1. The Conditional Use Permit is issued in accordance with the site plan dated 10/23/09, and floor plan and building elevations dated 10/7/09.
2. The applicant, New Day Church, must comply with all recommendations of the Public Works Director, City Engineer, Police Chief and Fire Chief.
3. The required parking stalls shall be striped with white or yellow paint lines not less than 4' wide providing for parking spaces at a size of 9' x 20' on a concrete or bituminous paved surface with a perimeter curb, as required by Section 717 of the New Prague Zoning Ordinance.
4. All signs must conform to Section 718 of the Zoning Ordinance.
5. All lighting must conform to Section 704 of the Zoning Ordinance.
6. A Knox Box must be installed on the outside of the building, in a location recommended by the New Prague Fire Chief, if the church has an alarm system that calls out for emergency response.
7. The addition to the parking lot and landscaping must be completed by June 1, 2010, and the church must submit financial securities to the City of New Prague to ensure its completion if the church would like to occupy the building prior to June 1, 2010.

Motion carried 5 to 0.

B. Concept Review of Eastland #2 – Witt Development, applicant

Planning Director Ondich reviewed a concept plan of the proposed plat of Eastland #2, consisting of one lot and one outlot on approximately 2.6 acres in the B2 Community Commercial Zoning District, as proposed by Witt Development, LLC.

He explained that the proposed lot is at the southeast corner of TH 19 and Alton Avenue SE and is already annexed into the city limits. Witt Development did develop a concept plan for the area lying between Alton Avenue and County Road 164, and south of Highway 19 which was reviewed. Planning Director Ondich reviewed the adjacent roadways and their functional classification. Witt Development would propose to construct 1st Street SE, on the south side of the proposed plat. Planning Director Ondich outlined an access agreement that is currently in place between Coborn's and the City of New Prague which would require a closing of the median at the proposed 1st Street SE / Alton Avenue intersection. The applicant is requesting that the median remain open for the time being, or at least until the proposed roundabout at Alton Avenue and 3rd Street SE is complete. He noted that city staff conducted a traffic survey along this section of Alton Avenue and the average daily traffic was not significant in city staff's opinion, and that staff would recommend approval of leaving the median open, but also noted that there is a Memorandum of Understanding between the city and LeSueur County regarding access points along Alton Avenue so they would have to agree to the proposed access.

Planning Director Ondich noted that a 10' wide bituminous trail would be constructed along the east side of Alton Avenue, that water is available to the site, that in order to provide sanitary sewer to the site a private temporary lift station is needed, and that the drainage will be accounted for in a pond that will be constructed. He reviewed photographs of the site and noted that comments would be solicited from MnDOT and LeSueur County when the platting application is received.

Jason Witt, representing Witt Development, was present and stated that he is planning to apply for preliminary and final plat at the November Planning Commission meeting.

The planning commission stated no objection or concern regarding the request other than those noted by staff regarding access to the property.

5. Miscellaneous - None

6. Adjournment

The meeting was adjourned at 7:15 p.m. by order of Chair Gengel.

Respectfully submitted,



Renee Christianson
City Planner