

**Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, October 22, 2008**

**1. Call Meeting to Order**

The meeting was called to order at 6:35 p.m. by Planning Commission Chair Grant Gengel with the following members present: Michael LaDuke, Kay Wilcox, Bob Gilman, Pat Remfert and Grant Gengel. No Commissioners were absent.

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

**2. Approval of August 27, 2008 Regular Meeting Minutes**

It was moved by Remfert, seconded by Wilcox to approve the September 24, 2008 regular meeting minutes as submitted. Motion carried (5-0).

**3. Comprehensive Plan Amendment – B2 to RH: Lot 3, Block 2, Prague Estates 1<sup>st</sup> Addition, Keystone Communities, LLC – Applicant (Public Hearing)**

Planner Director Ken Ondich presented the staff report. He stated that a concept plan for the proposed Keystone Communities, LLC 80 Unit Senior Living Complex was reviewed by the Planning Commission on September 24, 2008. He stated the parcel of land proposed for the complex is 3.83 acres in size located at the SE intersection of 1<sup>st</sup> Street SE and 10<sup>th</sup> Ave. SE. He stated the project would require a Comprehensive Plan Amendment and Rezoning to RH High Density Residential to provide zoning that would be appropriate for the proposal to be considered for approval. He stated the Comprehensive Plan Amendment and Rezoning is required because the City's B-2 Community Commercial Zoning District does not list "Nursing Homes and Assisted Living Facilities" as either a permitted or conditional use. He stated the RH High Density Residential Zoning District does list such facilities as a conditional use. He stated the applicant has proposed Lot 3, Block 2, Prague Estates First Addition to be re-guided to RH High Density Residential Zoning instead of the current designated B-2 Community Commercial on the City's Future Land Use Plan Map. He stated the applicants have also applied for a rezoning of this same parcel of land to fit the proposed zoning designation. He stated the process of the Comprehensive Plan amendment followed by the rezoning is required because the City believes the Comprehensive Plan and Zoning Map should be consistent and not in conflict with each other. He stated the removal of 3.83 acres of Commercial Land into RH High Density Residential Land would not be detrimental to the overall mix of land uses in New Prague. He stated that this is due in part to the fact that the Future Land Use Plan does not specifically designate any RH Zoning. He stated this is not "up-zoning" from Medium Density Residential as would normally be the case when designating RH zoned property, typical RH users do require access to major roadways such as 10<sup>th</sup> Ave. SE and close access to community amenities such as shopping, bank, restaurants, and religious facilities in this case which is common to the B-2 District. He stated that the Senior Living Complex has aspects of both RH Zoning and B-2 Zoning. He stated if the amendment were approved, it would create a situation where 1<sup>st</sup> Street SE is the boundary line between the B-2 Community Commercial to the north and RH High

Density Residential to the south. He stated that the Comprehensive Plan supports life cycle housing variety and with the anticipated increases in the senior population of New Prague this rezoning will provide for additional assisted living units to help meet the current and future demand. He stated that past experience in this area of New Prague shows that abutting commercial and residential land uses, without a buffer have led to conflicts at the time commercial projects are proposed for development. He stated this was experienced with the ALCO store development in particular with the adjacent townhome developments. He stated that staff believes that the proposed project for the Senior Living Complex will provide a very good land use transition between the commercial land use and the townhomes that exist to the south. He stated that staff recommends approving the amendment to the 2005 Comprehensive Plan's Future Land Use Plan Map to re-guide Lot 3, Block 2, Prague Estates First Addition as RH High Density Residential Zoning instead of the Comprehensive Plan's currently designated B-2 Community Commercial Zoning.

The public hearing was opened at 6:46 P.M.

The public hearing was closed at 6:47 P.M.

Kristi Olsen (CEO) and Mike Lewis (CFO) of Keystone Communities attended the meeting.

Gilman asked for the status of 1<sup>st</sup> Street SE.

Planner Ondich stated that this development would require Keystone to construct their portion of 1<sup>st</sup> Street SE which would then require Trinity Lutheran to construct their portion of the road as well.

Wilcox asked if the roadway layout thru this area is set in stone.

Remfert asked if 1<sup>st</sup> Street SE could run along the south side of the proposed Keystone property.

Ondich stated that a portion of 1<sup>st</sup> SE is already constructed south of the State Bank of New Prague.

Gengel stated that he is not usually in favor of spot zoning but this development would provide a much needed buffer to the townhome development to the south.

Remfert stated that this site is ideal because it is closer to facilities needed by the elderly residents. He stated that the Raven Stream and Creamery sites do not offer these amenities.

Mike Lewis (Keystone Communities) stated that the Keystone facility offers studios, one bedroom and two bedroom units.

Gengel stated that the City of New Prague is showing its commercial district shift to the East.

Wilcox stated that if Walmart is constructed it would provide an anchor on the west side of the City.

LaDuke stated that a facility like this would work well in this area.

Gilman stated that a Senior Living facility in the proposed location is a good idea.

Wilcox stated that she serves as a Director for the State Bank of New Prague and therefor will not vote on the proposed amendment or rezoning because of the possible conflict of interest.

It was moved by Remfert, seconded by LaDuke to recommend **approval** to amend the 2005 Comprehensive Plan's Future Land Use Plan Map to re-guide Lot 3, Block 2, Prague Estates 1<sup>st</sup> Addition as RH High Density Residential Zoning instead of the Comprehensive Plan's currently designated B-2 Community Commercial Zoning, with the following findings:

1. Amending the Future Land Use Plan for Lot 3, Block 2, Prague Estates First Addition from B-2 Community Commercial Zoning to RH High Density Residential Zoning will provide a better transition between the existing commercial uses and the existing townhome development south of the project site while noting that all residential zoning will be south of 1<sup>st</sup> Street SE and all commercial zoning will be north of 1<sup>st</sup> Street SE (on the block between 10<sup>th</sup> Ave. SE and Chalupsky Ave. SE) if the amendment is approved.
2. The residential appearance and commercial type of activities that would occur at the proposed Senior Living Complex on the site, including traffic to and from the site, including the access to 10<sup>th</sup> Ave. SE as a major collector road for deliveries and passenger busses for residents, lend itself well to the change in land use designation.
3. Amending the Future Land Use Plan in this case from B-2 Community Commercial Zoning to RH High Density Residential Zoning will provide an extension of the existing RH Zoning already present adjacent to the south of the site.
4. The Comprehensive Plan supports life cycle housing variety and with the anticipated increases in the senior population of New Prague this amendment will provide for additional assisted living units to help meet the current and future demand and which will also be in close proximity to various community amenities.

Motion Approved: Ayes 4 Nays 0 (Wilcox Abstained)

#### **4. Re-Zoning Request – B2 to RH: Lot 3, Block 2, Prague Estates 1<sup>st</sup> Addition, Keystone Communities, LLC - Applicant (Public Hearing)**

Planning Intern Streff presented the staff report. He stated that Keystone Communities, LLC is applying for rezoning of Lot 3, Block 2, Prague Estates First Addition from B-2 Community Commercial to RH-High Density Residential to construct a Senior Living facility. He stated the proposed facility would be located on the vacant lot south of the State Bank of New Prague which is on the south east corner of 10<sup>th</sup> Avenue SE and 1<sup>st</sup> Street SE. He stated the properties located to the north, west and east are within the B-2 Community Commercial Zoning District and the properties to the south are located within the RH-High Density Residential Zoning District. He stated that Keystone looked at other locations throughout the city which were already zoned appropriately and felt they were not suitable locations for their Senior Living Facility. He stated that Keystone is in favor of this particular site because it is close to shopping, banks, health care and religious institutions. He stated the B-2 Community Commercial does not

permit the use (“Nursing Homes and Assisted Living Facilities”) as either a permitted or conditional use. He stated this request requires that the property be re-zoned from B-2 Community Commercial to RH High Density Residential. He stated the property adjacent to the north, west and east are all B-2 Community Commercial zoning while the land to the south is zoned as RH High Density Residential. He stated that if the property were re-zoned to RH High Density Residential the “Nursing Homes and Assisted Living Facilities” would be allowed in this zoning district. He stated the Density limit in the RH High Density Residential District is 22 units per acre. He stated the applicant has also applied for a Comprehensive Plan amendment. He stated this rezoning request is contingent upon a Comprehensive Plan amendment being approved first so that the Comprehensive Plan and zoning are consistent. He stated that staff supports the rezoning of the subject property from B-2 Community Commercial to RH-High Density Residential District as long as the Comprehensive Plan is amended to reflect the change in the zoning.

The public hearing was opened at 7:02 P.M.

The public hearing was closed at 7:03 P.M.

Wilcox stated that she serves as a Director for the State Bank of New Prague and there for will not vote on the proposed rezoning because of the possible conflict of interest.

It was moved by Gilman, seconded by LaDuke to recommend **approval** to rezone Lot 3, Block 2, Prague Estates First Addition from B-2 Community Commercial to RH-High Density Residential, with the following findings:

- 1) Rezoning from B-2 to RH will complement the adjacent properties and will not have an adverse affect on the area due to the development of the Senior Living facility having commercial and residential aspects.
- 2) Rezoning from B-2 to RH will provide a better transition from commercial zoning to the existing townhome development to the south and church to the east.
- 3) Rezoning from B-2 to RH will conform with the City’s Comprehensive Plan (once amended).

Motion Approved: Ayes 4 Nays 0 (Wilcox Abstained)

## **5. Miscellaneous**

### **A. Planning Commission Seat Vacancies**

Commissioner Gilman stated that he will reapply for Planning Commission.

Commissioner LaDuke stated that he will not be reapplying for Planning Commission.

### **B. “Planning Magazine” CUP Article**

Gilman questioned if the City has a business district like this.

Ondich stated that the B-2 Community Commercial District has no permitted uses other than government type uses.

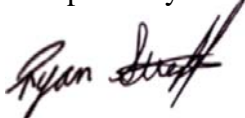
**C. Letter from Dave Minar**

Wilcox stated that in the letter from Dave Minar it was apparent he felt that the “Local Harvest Alliance” did not have a voice in the Scott County Comprehensive Plan.

**6. Adjournment**

The meeting was adjourned at 7:27 PM by order of Chair Gengel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ryan Streff". The signature is written in a cursive style with a prominent loop at the end.

Ryan Streff  
Planning Intern