

Meeting Minutes
New Prague Planning Commission
Wednesday, November 18, 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, Bob Gilman and Ryan Peltier

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

2. Approval of October 28, 2009 Regular Meeting Minutes

It was moved by Wilcox, seconded by Remfert to approve the October 28, 2009 regular meeting minutes with one correction. Motion carried (5-0).

3. Old Business - None

4. New Business

A. Request for Preliminary Plat Approval – Eastland Second Addition – Witt Development, applicant.

Planning Director Ondich presented the request. He reviewed the proposed one lot plat, noting that the property is currently platted as an outlot in Eastland, and that there is currently a storm water retention pond on the lot. He noted the lot size, the property zoning, proposed easements, proposed access to the plat, trails and sidewalks. He explained that there is an existing drainage and utility easement that will need to be vacated prior to plat approval. He reviewed an existing access agreement that would require the median at Alton Avenue SE and 1st Street SE to be closed at this time, but noted that all parties to the Agreement have agreed to an amendment which would delay the median closing until operational issues dictate its closure. MnDOT and the LeSueur County Highway Engineer are also supporting the proposed access to the site.

The public hearing was opened at 6:42 p.m. Director Ondich submitted, for the record, comments which had been received via email from adjacent property owner Tom Topka, his comments pertaining to storm water retention and runoff, sanitary sewer, and water issues. With no other comments from the public, the public hearing was closed at 6:43 p.m.

Commissioner Gilman asked if the new pond would have as much storage volume as the existing pond. Lynn Bruns with I & S Group, engineer for the developer, explained that there would not be quite as much volume in this pond but that the additional volume could be accounted for in a future pond proposed south of Coborns.

Councilmember Wilcox asked about sidewalk locations. Jason Witt stated that he would like to propose a sidewalk be constructed along the north side of 1st Street SE. Commissioner Wilcox also asked about the median closure on Alton Avenue, and asked whether or not the gaps in traffic could be defined as acceptable or not. Planner Christianson stated that the City

uses the Institute of Transportation Engineers guidance and that gaps associated with acceptable levels of service are defined.

It was moved by Peltier, seconded by Wilcox to recommend approval of the request for preliminary plat approval of Eastland Second Addition, as proposed by Witt Development, for the following reasons:

1. The 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 B-2 Zoning District in which it is located.

And with the following conditions:

1. Approval is granted in accordance with the preliminary plat (dated 10/28/09) on file with the New Prague Planning Department.
2. The Preliminary Plat is issued for a period of six months, and shall become null and void without further action from the Planning Commission or the City Council unless the final plat is filed within six (6) months of the date of the City Council granting Preliminary Plat approval.
3. Witt Development, Inc. must enter into a Developer's Agreement with the City of New Prague, and the agreement must be approved by the City Council prior to final plat approval.
4. Approval is subject to all recommendations of the Public Works Director and the City Engineer.
5. MnDOT District 7 Development Review comments must be received and considered before final plat approval.
6. No direct driveway access to TH 19/13 (Main Street) or Alton Avenue SE shall be allowed from any lot within this plat.
7. Right of way for proposed 1st Street SE must be increased to 60' in width.
8. The existing "Agreement Regarding Access to Alton Avenue" must be amended to add Witt Development, Inc. as a party to the agreement and the language amended so that only the following criteria would be used to determine if the medians should be closed: "The City and County mutually agree in their sole discretion that the access changes should be made to Alton Avenue due to documented safety and operational issues. These issues could result from the reduction in acceptable gaps in traffic on Alton Ave. which would prohibit the safe and efficient operation of turning movements either entering or exiting Alton Ave. from access locations along the roadway segment."
9. A 5' wide concrete sidewalk will need to be installed on at least one side of the section of 1st Street SE that will be constructed.
10. The 10' bituminous trail along the east side of Alton Ave. SE, as shown in the Eastland Construction plans must be completed with the Eastland Second Addition construction.
11. A temporary cul-de-sac must be provided for on the eastern terminus of 1st Street SE.
12. A Title Commitment must be provided to the City and reviewed by the City Attorney prior to consideration of the Final Plat.

Motion carried (5-0).

B. Zoning Ordinance Revisions – 3rd Section Review

Planner Christianson presented proposed amendments to the Zoning Ordinance which included amendments to the fence regulations, home occupation regulations, restaurant regulations, access spacing and driveway regulations, changes to where churches are guided, and adding a provision requiring traffic impact studies for certain developments.

The Planning Commission discussed the changes proposed by staff and agreed with the recommendations.

C. Subdivision Ordinance Revisions – Park Land Dedication

Planning Director Ondich presented proposed amendments to the Subdivision Ordinance, specifically pertaining to park/public land dedication requirements. He reviewed the current requirements which include a 10% land dedication during platting, and also a fee that is taken in on all building permits and used for the purchase of park equipment. The current fee is 1/4 % of the value of the improvement. He noted that there have been several changes to state statutes over the past several years, which necessitate the need for revisions to the City's regulations. He stated that the City Attorney has reviewed the proposed methodology for establishing the park dedication requirements.

Councilmember Wilcox requested that the City Attorney determine whether the park dedication fee charged on building permits could still apply to the existing platted lots within the City. It is estimated that there are approximately 315 vacant platted residential lots.

Planning Director Ondich requested the Planning Commission's permission to schedule a public hearing regarding various changes to the Subdivision Ordinance. The Commission recommended approval of scheduling a public hearing, which will take place after the City Attorney has fully reviewed all the proposed changes.

5. Miscellaneous - None

6. Adjournment

The meeting was adjourned at 7:55 p.m. by order of Chair Gengel.

Respectfully submitted,



Renee Christianson
City Planner