

**Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, May 24, 2023**

**1. Call Meeting to Order**

The meeting was called to order at 6:31 p.m. by Chair Dan Meyer with the following members present Brandon Pike, Ann Gengel, and Jason Bentson. Absent was Shawn Ryan but arrived at 6:34 pm.

City Staff Present: Ken Ondich – Planning / Community Development Director, and Kyra Chapman – Planner

**2. Approval of Meeting Minutes**

**A. April 26th, 2023 Regular Meeting**

It was motioned by Pike, seconded by Bentson, to approve the April 26th regular meeting minutes. Motion carried (4-0).

**3. OLD BUSINESS**

**A. None.**

**4. NEW BUSINESS**

**A. Request for Variance #V3-2023 – 18’ 6” Deck Setback Variance  
Dan Bisek –applicant**

Planner Chapman introduced the V3-2023 variance application for a reduction from the 20’ rear setback to 18’ 6” to build an uncovered deck at 1302 History Ct NW in the RL-90 Single Family Residential Zoning District. The proposed deck would be modestly sized at 12’ x 14’ (168 sq ft) and would not include stairs. Under the current zoning ordinance, decks are exempt from the 30’ rear setback, but they cannot be built closer than 20’ from the rear property line. The proposed deck would be 18’ 6” from the rear property line, just slightly less than the 20’ requirement. The variance wouldn’t influence the character of the neighborhood because many residents in the area have decks. Additionally, the property is located on a cul-de-sac, resulting in a distinctive property line shape and influencing setbacks.

Pike inquired how decks are measured to determine if they are compliant with setbacks.

Planning Director Ondich responded that they are measured from the property line to the end of the deck.

Planner Chapman added that if the deck has stairs, the deck is measured from its footings to the property line.

Ryan wondered if the applicant had asked their backyard neighbor if they could build a deck.

Planning Director Ondich explained that neighbor notices were sent out, so the neighbor should be aware of the variance request.

Dan Bisek, the applicant, at 1302 History Ct NW mentioned that he had approached his neighbors about this, and they were fine with it. The reason the deck would be 12' x 14' is to fit the slab patio. The slab would have to be cut if the deck were to be made smaller. Bisek inquired if council would similarly approve of the variance request as the Planning Commission.

Ryan believed that City Council will approve especially with a Planning Commission vote of 5-0, not that he was only one of five votes on the council.

A motion was made by Ryan, seconded by Gengel, to recommend that the City Council approve V3-2023 with the following findings:

- A. The requested variance of deck setback is in harmony with the general purposes and intent of this Ordinance because decks are a permitted accessory use in the RL-90 Single Family Residential Zoning District.
- B. The requested variance is consistent with the comprehensive plan because decks are a permitted use in the RL-90 Single Family Zoning District.
- C. The applicant will continue to use the property in a reasonable manner as the only change will be a setback reduction from the 20' requirement to 18' 6" to allow a modest sized 12' x 14' deck to be constructed.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the property is located on a cul-de-sac, resulting in a distinctive property line shape.
- E. The variance does not alter the essential character of the neighborhood because several neighbors have decks on their property. Reducing the deck setback from 20' to 18' 6" would not drastically impact the neighborhood.
- F. The variance requested is the minimum variance which would alleviate the practical difficulty because it would allow the applicant to construct and enjoy a modestly sized deck.
- G. No additional conditions are imposed.

Motion carried (5-0).

**B. Concept Review of Planned Unit Development Consisting of two Lots on 5.33 Acres (EMS Site and Lot to the North)  
City of New Prague – applicant**

Planning Director Ondich introduced the Planned Unit Development that would include the fire station and the property north of the fire station. The lot directly north of the fire station is 41,861.16 sq ft (0.961 acres), just barely over the I-1 Light Industrial District minimum lot area requirement of 40,000 sq ft. The available buildable area is further reduced due to the 75' easement, making the site difficult to utilize for typical industrial business. Wold Architects and Engineers have been working on a Facility Space Needs Assessment for the City to attach the police station to the Emergency Services (EMS) building since the police department has outgrown city hall's current capacity. In the southern portion of the fire station lot, there are two vertical easements and a paved "driveway" along the easement that connects between 5<sup>th</sup> Ave NW and 4<sup>th</sup> Ave NW. The "driveway" could become a public road either through plat dedication or via a roadway easement for better accessibility for fire and police staff. The PUD would allow for a cohesive and efficient development plan for the two properties and to allow a mixture of uses for the land north of the fire station which is more suitable for an office type use and the expansion of the governmental use for the southside of the site.

Planning Director Ondich added that the property at 412 5<sup>th</sup> Ave NW, west of the fire station, is for sale and the City is considering acquiring it to make room for the Park Maintenance Department. There are two existing buildings and there is an easement that runs through the south portion of the lot, limiting new construction on the lot.

Meyer inquired if the property, 412 5<sup>th</sup> Ave NW, is currently empty.

Planning Director Ondich confirmed that it's empty. It was an R & D facility that was used for a packaging company.

Pike liked the idea of the PUD because it's a good statement when people come into town if the property is attractive. He suggested that a monument sign could be located on the northeast corner of the PUD area that welcomes people to New Prague. Pike also believed that MnDOT will put a roundabout at the intersection of TH21, 6<sup>th</sup> St NW, and 7<sup>th</sup> St NW at some point in the future.

Planning Director Ondich mentioned that for the next PUD meeting, the sketch plan from the private developer could be presented to the Planning Commission regarding the lot north of the fire station.

Pike asked if a preliminary and final plat will need to be done.

Planning Director Ondich explained that the sites have already been platted.

Ryan liked that the PUD would give it more flexibility and help the site stand out. The site is especially important because it's an entry point to the community.

Meyer mentioned that the site north of the fire station could be converted into a picnic station.

Planning Director Ondich explained that the 412 5<sup>th</sup> Ave NW property could be included in the PUD even if it's not bought by the City.

Ryan asked when the tin shed at the fire station will be removed.

Planning Director Ondich replied that it will be removed when it is no longer useful by producing rental income.

Ryan suggested that the lot north of the fire station could be converted into a small park. It could be called "Firemen's station" and used for things such as kid's birthday parties.

Meyer further suggested that a shelter could be built at the park.

Planning Director Ondich stated that while some of the land north of the fire station is owned by the city, the larger area is privately owned and has underground utilities which would limit certain structures from being built there.

A motion was made by Pike, seconded by Shawn, to continue discussions with the private owner/developer before bringing PUD discussions back to the Planning Commission. Motion carried (5-0).

### **C. Concept Review of Zoning Ordinance Amendment – Screening Requirements City of New Prague – applicant**

Planner Chapman introduced the proposed screening ordinance amendment. She explained that in a previous Planning Commission meeting, members have showed a concern for providing adequate screening of a property and particular use in the I-1 Light Industrial District, largely due to recent complaints of another industrial property. Under the current zoning ordinance, there are only screening requirements for commercial, industrial, or institutional uses abutting residentially zoned properties. The proposed amendment would further add to those requirements and list new screening requirements for commercial or industrial districts abutting industrial districts. Some new additions include language for opacity, tree spacing, tree height, and fencing requirements.

Planning Director Ondich observed that other cities have ordinances on berming. The purpose of adding more language to the screening ordinance was to prevent the visibility of less attractive industrial buildings.

Pike liked the idea and pointed out that if the industrial district grows, it will look unappealing especially at the entrance to the city along TH 21.

Planning Director Ondich suggested that the screening ordinance could list certain requirements along certain accesses or roadways.

Pike mentioned that a Jordan business along 169 had to provide berming or fencing so it wasn't as visible along the highway.

Planning Director Ondich mentioned that staff could look into Scott County's screening ordinance requirements especially when considering elevations.

Ryan recommended that the tree opacity should be locked down to 90%. This requirement could be along major corridors, but it shouldn't be listed in the ordinance, so the city isn't as restricted. Additionally, he suggested there should be more tree requirements especially since we became a Tree City USA. The City could require a minimum tree diameter width to reflect our status and ethics of being a Tree City USA.

Pike proposed that the screening ordinance could list acceptable tree species or certain mixtures of trees.

A motion was made by Ryan and seconded by Pike to continue to research and modify the screening ordinance. Motion carried (5-0).

## **5. Miscellaneous**

The following miscellaneous items were reviewed as information:

### **A. Digital Signs in the B-1 District**

Planning Director Ondich explained that the staff recently spoke with a business located in the B-1 Central Business District, who wants to install a digital menu board facing Main Street. In the Zoning Ordinance, "electronic variable message signs" are not allowed in the B-1 Central Business District. There are a few digital signs downtown, but they have been grandfathered in since the electronic variable message sign ordinance was established in 2007. The reason the business would like a digital menu board sign is to update their menu to include new items or remove items that are out of stock. It would be a static sign and would only be on during business hours. Additionally, the business would like to create a sign where light could be projected onto the sidewalk in front of their building. Staff believes that the projected light sign would be distracting to pedestrians and drivers and would detract from the historic feel of the downtown district.

Pike asked what requirements the city has in place now to prevent these signs.

Planning Director Ondich explained that there are glare standards that the light projecting sign would have to meet and that electronic variable message signs are not allowed in the central business district.

Planning Director Ondich explained that the business would like to install a 55” TV screen on their building facing Main Street.

Pike thought that the proposal would go against the historical feel of the B-1 Central Business District.

Ryan suggested that the business owner could change the menu items on their website instead.

Planning Director Ondich explained that it was a conscious decision in 2007 to not allow electronic variable message signs downtown for similar reasons.

A motion was made by Ryan and seconded by Gengel to keep the existing sign standards. Motion carried (5-0).

## **B. Comprehensive Plan Update**

Planning Director Ondich mentioned that there will be a Public Input meeting for the Comprehensive Plan on Wednesday, May 31st from 6:00pm to 7:00pm. MSA will be facilitating the meeting and have participants use post it notes to share their thoughts.

Pike asked how the event was advertised.

Planning Director Ondich explained that it was posted on social media, the city website, and the New Prague Times. In addition to the Public Input meeting, staff will be hosting a booth at Czech Out New Prague for residents to provide their feedback.

Meyer asked if there was a way to prevent people from filling out the online survey multiple times.

Planning Director Ondich explained that there could be a way to do that.

## **C. Monthly Business Updates**

Planning Director Ondich reviewed the monthly business updates. One new home permit was issued in April, totaling three new residential home permits in 2023 so far. Brick’s Boatworks held a groundbreaking ceremony on May 2<sup>nd</sup>, 2023. Sugar Rose Bakeshop is preparing to move into their new location at 120 Main Street W. City staff will continue to work with CVF Racing towards a final purchase and development agreement for three lots in the industrial park while also considering financial incentives.

## **6. Adjournment**

A motion was made by Ryan, seconded by Bentson, to adjourn the meeting at 8:14 pm. Motion carried (5-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kyra J. Chapman". The signature is written in a cursive style with a large initial 'K' and 'C'.

Kyra J. Chapman  
Planner