

Special Meeting Minutes
New Prague Planning Commission
Wednesday, January 27, 2021

*Conducted Via GoToMeeting due to the COVID-19 Pandemic which prevented attendance at the regular meeting location.

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Chair Bob Gilman with the following members present on the virtual meeting conference call: Mike Uttenhove, Paul Tupy and Shawn Ryan. Absent was Dan Meyer (arrived at 6:50 p.m.).

City Staff Present: Ken Ondich – Planning / Community Development Director

2. Approval October 28, 2020 Regular Meeting Minutes

It was moved by Ryan, seconded by Uttenhove, to approve the October 28, 2020 regular meeting minutes as submitted. Motion carried (4-0, Meyer had not yet arrived).

3. Old Business

A. None.

4. New Business

A. Request for Conditional Use Permit #C1-2021 – Garage Addition Setback to Alley Ivy Brook Parking, LLC, applicant

Planning Director Ondich presented the staff report. He stated that the applicant, Ivy Brook Parking, LLC is seeking a conditional use permit to allow exterior storage of recreational vehicles, commercial vehicles, boats and equipment at 1111 4th Ave. NW at the current Radon site. He stated that the applicant has an accepted purchase agreement for the site subject to gaining CUP approval. He stated that Radon would remain as a tenant of the main building and the two billboards would also remain on the site. He stated that no new buildings are proposed and therefore no public utilities are required to be extended to the site. He stated that the applicant has a similar facility in Savage which was recently improved. He stated that exterior storage is a conditional use in the I-1 Light Industrial District. He stated that the applicant's proposal states that a commercial security system and lighting will be added to the site, but details were not provided. He stated that any new lighting must meet the glare standards of the zoning ordinance. He stated that while the zoning ordinance does not require screening because the site is not directly adjacent to a residential

area, staff suggests that a green belt screen of 20' width be added along TH21 and 12th Street NW. He stated that staff suggests a screen similar to what Chart planted along 1st Ave. NW which is evergreen trees planted at 25' spacing staggered with deciduous trees planted at 25' spacing with opaque fencing located behind. He stated that the site is industrially zoned and is adjacent to Chart and other industrially zoned property. He stated that Chart's property contains large areas of exterior storage, many areas which are legal non-confirming for exterior storage but also some that did get approved through the conditional use permit process. He stated that one access to the site exists to TH21 and that while formal comments from MnDOT had not yet been received they had previously indicated that an additional access would not be granted. He stated that access to 12th Street NW would require a variance as the minimum spacing from TH21 is 500' for driveways which is not possible based on the lot dimensions. He stated that the City Engineer noted that a stormwater management design and site plan must be submitted for review and approval. He stated that the Building and Fire Departments noted that if storage areas are fully fenced that a Knox box must be provided for emergency access and that emergency vehicles must be able to utilize all drive aisles. He noted that FEMA Flood Plain exists on the site and a 100' buffer strip is required on either side of the creek with no parking of items in the buffer area. He stated that staff recommends approval of the conditional use permit with the findings and conditions listed in the staff report.

The public hearing was opened at 6:52 p.m.

No comments were received during the public hearing.

The public hearing was closed at 6:53 p.m.

Commissioner Ryan asked if there was enough room for larger vehicles to turn from the highway and enter the two storage areas without backing up into the highway. He also questioned if the screening was dense enough and if taller items would be adequately screened from the highway. He suggested possibly screening along the driveway into the site to dress up the access areas. He stated that he thought the applicants' site in Savage looked horrible. He also asked how many residents in the Homefield development had been notified.

Planning Director Ondich stated that there was ample room to enter the site and be off the highway and that MnDOT also did not note that as a concern in their review. He stated that the required notices were sent out 350' from the site and that approximately 5 residents were directly notified in addition to the notice in the New Prague Times.

Trevor Poonai, applicant representative of Ivy Brook Parking LLC, stated that the semi-trucks and other vehicles will turn off the highway, into the driveway and right into the south or middle storage areas. He stated that they want to avoid the items for the storage areas from traveling near the Radon building. He also noted that while his site in Savage is heavily semi-trucks, he expects it to be a mix of semis, boats and RV's in New Prague. He also noted that he would have no problem with adding a

condition that items stored on the site could be limited to no taller than a semi-truck and trailer.

Commissioner Ryan stated that regarding the north portion of the property he noted that 12th Street NW is heavily used and is a route to the high school and noted that the applicant could not assume a variance would be granted for an access there.

Mr. Poonai stated that he would anticipate boats and smaller RVs and vehicles on the north site and not semi-trucks and would support a condition to limit this area.

Mark Peabody, 27086 Helena Boulevard, stated that he has concerns about the proposal and noted that the applicant's site up in Savage is very truck heavy in terms of use and has a perimeter of concrete barricades.

Mr. Poonai stated that he had recently upgraded the site in Savage with the concrete barriers, new drive aisle and surfacing and better organization. He had some companies using the site in Savage such as for concrete, asphalt and hauling companies. He stated that usually someone is on site for only about 5 minutes in order to park their personal vehicle and move the equipment they are using for the day off the lot.

Commissioner Ryan asked if the lot in Savage is used by truck drivers for sleeping overnight.

Mr. Poonai stated that he did not allow overnight stays on the site in Savage.

Commissioner Tupy stated that he had a concern about truck idling and would not support overnight idling.

Mr. Peabody stated that he was also concerned about hours of operation and noises. He stated that he was not for or against the proposal, just voicing his concerns.

Mr. Poonai stated that his site would not be too different from what Chart does for storage and parking directly to the south as far as the layout of vehicles. He stated that he would not have a security gate and will also be required to develop a grading and stormwater plan that needs to be approved.

Commissioner Ryan asked Mr. Poonai if he had a layout for how vehicles would park on the site.

Mr. Poonai stated that he had a rough sketch of the south portion only at this time as the grading and stormwater plans needed to be completed to finalize the parking layout.

Chair Gilman asked if the screening on the NE corner of the site was potentially in the sight triangle for the railroad.

Planning Director Ondich stated that the Union Pacific Railroad was notified of the request and had not provided any feedback at this time, but that would be looked at more closely when the north end would be utilized.

Commissioner Tupy suggested that even if just the south portion of the site is developed for storage that the screening extend halfway along the middle storage area along the highway to help screen the south area.

A motion was made by Tupy, seconded by Uttenhove, to recommend that the City Council approve the conditional use permit with the following conditions:

1. The required screening and allowed exterior storage areas are approved in accordance with the "City Recommended Screening Plan" dated 1/15/20 which is on file with the New Prague Planning Department. No exterior storage is allowed until the screening is in place and inspected by the Planning Director and no exterior storage is allowed outside of the areas indicated on this map.
2. The required landscape screen shall consist of evergreen trees planted at 25' spacing, staggered with deciduous trees planted at 25' spacing with a 6' tall opaque fence placed behind the staggered rows of trees. All trees must be 6' tall at minimum at the time of planting.
3. All new lighting must conform to Section 704 of the Zoning Ordinance for Glare and be approved by the City prior to installation by submitting a lighting plan for final approval.
4. The "North Exterior Storage Section" as indicated on the map referenced in Condition #1 is not able to be utilized until an access has been approved to enter the site.
5. An engineered stormwater management design and site plan must be submitted to the City Engineer for review and approval prior to use of the site for exterior storage.
6. All recommendations of the New Prague Public Works Department, Utilities Department, Building Official and Fire Department must be complied with prior to items being moved to the exterior storage areas.
7. All recommendations of MnDOT must be complied with prior to utilization of the site for exterior storage.
8. If the exterior storage areas are completely fenced, the applicant must provide a knock box to hold a key for access by the Police/Fire Department.
9. A 100' buffer is required on each side of the creek which means no structures or parking of any items is allowed in this buffer area.
10. Dust control measures must be used on the exterior storage area and all access roads to ensure adjacent properties are protected from dust during susceptible conditions.
11. Items stored on the site are limited to be no taller than the height of a semi-truck and trailer.
12. The north portion of the site is restricted to items smaller than semi-trucks and trailers.
13. No excessive overnight idling of vehicles is permitted.
14. Screening must be in place along TH21 adjacent to the south storage area and at least halfway along the middle storage area before the south storage area can be utilized.

And with the following findings:

- A. The proposed use of the property for exterior storage will not create an excessive burden on existing parks, schools, streets and other public facilities which serve the area because the site is simply being used for an exterior storage area which does not place any burden on parks, schools, streets or other public facilities.
- B. The proposed exterior storage area will be sufficiently separated and screened from the residential homes to the north and will also be screened from all public roadways.
- C. The proposed exterior storage area is reasonably related to the overall needs of the City and to existing land use, as it will provide an exterior storage area on existing under-utilized land within the City that is within an appropriate industrial zoning district in which it is listed as a conditional use.
- D. The proposed exterior storage area is consistent with the purposes of the Zoning Ordinance and the purposes of the I-1 Light Industrial Zoning District as the proposed use is specifically listed as a conditional use.
- E. The proposed exterior storage area is not in conflict with the Comprehensive Plan of the City because the Comprehensive Plan designates this property as being located within the I-1 Light Industrial Zoning District.
- F. The proposed exterior storage area will not generate any significant additional traffic on TH21 (4th Ave. NW).
- G. The proposed exterior storage area will not utilize any utilities or access roads other than what exists today.

Motion carried (5-0).

**B. Concept Review of Indoor Firing Range Zoning Ordinance Amendment
City of New Prague, applicant**

Planning Director Ondich presented the staff report. He stated that staff recently received an inquiry about possibly opening an indoor firing range. He stated that the City's zoning ordinance does have a category for "commercial recreation" that could be used but that staff believes that a more thorough review and potential amendment to the zoning ordinance is necessary to provide some performance standards for indoor firing ranges. He stated that at this point staff is looking for input on a possible amendment. He stated that staff has researched what other area cities and some other rural cities have for ordinance requirements and that the more recently written zoning ordinance provisions for indoor firing ranges are very similar. He stated that he recommended the planning commission discuss the proposed ordinance amendments and consider a future public hearing to gather comments.

Commissioner Meyer asked if a standard be added that firing ranges must be located 1,000' from churches and schools as well as from drinking establishments.

Planning Director Ondich stated that provision could be added if so desired.

A motion was made by Ryan, seconded by Tupy, to continue with the process and schedule a public hearing at a future Planning Commission meeting for the indoor shooting range zoning ordinance amendment. Motion carried (5-0).

5. Miscellaneous

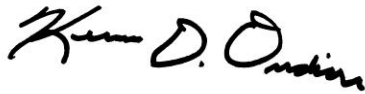
The following miscellaneous items were reviewed as information only:

- A. Monthly Business Update – Planning Director Ondich provided the Monthly Business update to the Planning Commission that had been provided to the EDA earlier in the month.

6. Adjournment

A motion was made by Tupy, seconded by Ryan, to adjourn the meeting at 7:54PM. Motion carried (5-0).

Respectfully submitted,

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

Kenneth D. Ondich
Planning / Community Development Director