

Meeting Minutes
New Prague Planning Commission
Wednesday, October 23, 2019

1. Call Meeting to Order

The meeting was called to order at 6:32 p.m. by Chair Bob Gilman with the following members present: Paul Tupy, Dan Meyer, Shawn Ryan and Michael Uttenhove. Absent was Paul Tupy and Dan Meyer (arrived at 6:39 p.m.)

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

2. Approval August 28, 2019 Regular Meeting Minutes

It was moved by Ryan, seconded by Uttenhove, to approve the August 28, 2019 regular meeting minutes as submitted. Motion carried (3-0, Tupy Absent and Meyer had not yet arrived).

3. Old Business

A. None.

4. New Business

**A. Request for Conditional Use Permit #C2-2019 – Motor Vehicle Sales Facility
MN Auto Depot, LLC, applicant**

Planning Director Ondich presented the staff report. He stated that 1401 E. Main Street is home to NAPA Auto Parts but also contains a rental space on the north side of the building. He stated that the rental space is 130 sq. ft. and has been vacant. He stated that the applicant is proposing to operate a motor vehicle sales business in the office space and to utilize 5 parking spaces adjacent to TH19 for the display of vehicles for sale. He stated that motor vehicle sales requires a conditional use permit in the B-2 Community Commercial Zoning District. He stated that there is not a parking standard for motor vehicle sales but that it should be based on a similar use. He stated that the 130 sq. ft. office is considered as an office use and would require 1 parking space. He stated that there are 22 paved parking spaces on the south side of the site while only 12 spaces being required for the NAPA use, leaving additional spaces that are underutilized and can be used for vehicles to be displayed for sale. He stated that the existing 4 gravel parking spaces on the north side of the building normally should be paved, however staff recommends allowing them to remain as gravel due to the truck traffic in the rear of the lot and because the parking area is not visible to adjacent public roads. He stated that the existing parking lot spaces must be striped as a condition of approval. He stated that all signage must meet ordinance

requirements and that the building official requires the address and name of the business on the office door. He stated that no changes to the building appearance are proposed and no refuse is proposed to be stored outside. He stated that MnDOT was solicited for comments as required but at this time comments were not yet received. He stated that staff recommends approval with the findings and conditions listed in the staff report.

The public hearing was opened at 6:43PM.

Tom Shimota, owner of B&T Investments LLC who owns the building, stated that he wants to make sure vehicles parked out front are switched out on occasion for aesthetic purposes. He stated that he has concerns about striping the parking lot. He stated that a lot of the business at NAPA is for large or heavy trucks that don't fit in normal size parking spaces. He stated that often times the larger trucks will circle around the building and park next to the west side of the building and that striped spaces could block their ability to circulate through the lot.

Shawn Ryan asked Mr. Shimota to point out on the map where the striped parking spaces would be a problem and where the trucks circulate through.

Mr. Shimota pointed out on a photo that larger trucks will circulate around the north side of the building and through the parking lot in front of NAPA.

Chair Gilman stated that he could see only requiring the striping of the 5 spaces for the vehicles being displayed for sale.

Shawn Ryan stated that if most regular vehicles are parking in front of the store that those spaces should also be striped. He stated that he would find it hard to justify not requiring striping as it is a city standard and is done for appearance reasons.

The public hearing was closed at 6:54PM.

A motion was made by Ryan, seconded by Meyer to recommend approval of Conditional Use Permit #C2-2019 to allow motor vehicle sales on an existing property at 1401 E. Main Street, Suite 2, in the B-2 Community Commercial Zoning District, with the following findings:

- A. The proposed use of the site and building for motor vehicle sales will not create an excessive burden on existing parks, schools, streets and other public facilities which serve the area because the proposal utilizes an existing vacant office space located at a previously developed site.
- B. The proposed use of the property for motor vehicle sales is not adjacent to any residentially zoned land.
- C. The use is reasonably related to the overall needs of the City and to existing land use, as the proposed use for motor vehicle sales will utilize an existing vacant office space and an existing underutilized parking lot.
- D. The proposed use of the property for motor vehicle sales is consistent with the purposes of the zoning ordinance and of the zoning district in which it is located,

as the motor vehicle sales use is specifically listed as a conditional use in the B-2 Community Commercial Zoning District.

- E. The proposed use of the property for motor vehicle sales is not in conflict with the Comprehensive Plan of the City because the Comprehensive Plan designates this property as being located within the B-2 Community Commercial Zoning District.
- F. The proposed use of the property for motor vehicle sales does not trigger the need to conduct a traffic impact study and will not generate traffic hazard or congestion.
- G. Adequate utilities such as water and sewer have previously been provided at the site and the existing access to Chalupsky Ave. NE is adequate for the proposed use.

And the following conditions:

1. The existing paved parking area directly adjacent to the building must be striped by July 1, 2020 with white or yellow paint lines not less than 4" wide providing for parking spaces at a size of 9' x 20', as required by Section 717 of the New Prague Zoning Ordinance.
2. Section 718(2)(G) of the zoning ordinance normally requires parking spaces to be paved with concrete or bituminous, however, the existing rear (north) parking area is allowed to remain as gravel because it is used heavily by delivery trucks where the weight of the vehicles would damage bituminous or concrete parking areas, there will be very little customer traffic, and the gravel parking area is not readily visible from any adjacent public right of way.
3. All signs must conform to Section 718 of the Zoning Ordinance which require a permit under a separate permit process.
4. The name of the business and address of the business must be provided for on the door to the motor vehicle sales office.
5. All dumpsters, garbage containers or refuse bins provided on the site outside of a building shall be screened from view in accordance with Section 703 of the Zoning Ordinance.
6. All vehicles for sale, up to 5 total, on the site are limited to the southwest corner of the existing paved parking lot, with said spaces being striped, as noted on the site plan dated 9/16/19.
7. Repair work on vehicles shall not be conducted on the site.
8. The outdoor storage of inoperable vehicles, damaged vehicles, motor vehicle parts, and debris is prohibited.
9. All requirements of MnDOT District 7 must be complied with.

Motion carried (4-0).

B. Request for Preliminary and Final Plat of Tupy Acres 2nd Addition David Tupy, applicant

Planning Director Ondich presented the staff report. He stated that David Tupy has applied for approval of a preliminary and final plat of Tupy Acres 2nd Addition that includes one lot and one outlot. He stated that the land is outside of City Limits but within the Extraterritorial Subdivision Review Area and that LeSueur County retains

zoning and permitting authority. He stated that the plat adjusts lot lines between two properties and is required to be platted as land included is an outlot. He stated that the lots are zoned Agricultural and require a minimum of 1.5 acres and that the lot meets the minimum requirements. He stated that the existing home does not meet the required front setback, but is acceptable as an existing home. He stated that the lot is located about 2,000 east of the city's growth boundary. He stated that County Road 29 is located on the north side of the plat and is dedicating right of way for county road 29. He stated that a wetland delineation was completed last year for the property so no update is needed that that park land dedication will be deferred until the property is annexed into the City. He stated that staff recommends approval of the preliminary and final plat of Tupy Acres 2nd Addition with the findings and conditions listed in the staff report.

The public hearing was opened at 7:01PM.

No public comments were received.

The public hearing was closed at 7:02PM.

A motion was made by Meyer, seconded by Uttenhove to recommend approval of the Preliminary and Final Plat of Tupy Acres 2nd Addition consisting of one lot and one outlot on 41.24 acres with the following findings:

1. The plat complies with the purpose and intent of the New Prague Subdivision Ordinance.

And the following conditions:

1. Approval is granted in general accordance with the Preliminary Plat submittal dated 9/13/2019 on file with the New Prague Planning Department.
2. Approval is granted in general accordance with the Final Plat submittal dated 9/13/2019 on file with the New Prague Planning Department.
3. The Final Plat must be recorded within 90 days of the date of the City Council granting approval per Chapter 051 (E) of the Subdivision Ordinance.
4. Approval is subject to all requirements of the City Attorney including review and approval of the Title Commitment.
5. Approval is subject to all requirements of LeSueur County Engineering and Planning and Zoning Departments.
6. City Park Land Dedication is being delayed at this time until the time at which the property is annexed to the City and likely further developed into smaller lots and blocks.

Motion carried (4-0).

5. Miscellaneous

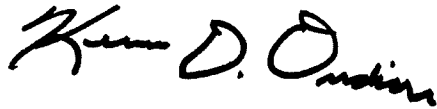
The following miscellaneous items were reviewed as information only:

- 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 Uttenhove, seconded by Meyer, to adjourn the meeting at 7:04PM. Motion carried (4-0).

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