

Meeting Minutes
New Prague Planning Commission
Wednesday, October 26, 2022

1. Call Meeting to Order

The meeting was called to order at 6:29 p.m. by Chair Dan Meyer with the following members present Brandon Pike, Ann Gengel, Shawn Ryan and Jason Bentson. None were absent.

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

2. Approval of Meeting Minutes

A. September 28th, 2022 Regular Meeting

It was motioned by Ryan, seconded by Bentson, to approve the September 28th regular meeting minutes as submitted. Motion carried (5-0)

3. OLD BUSINESS

A. None.

4. NEW BUSINESS

**A. Review of City Code Amendment – Licensing THC Product Sales
City of New Prague – applicant
(Public Hearing Required)**

Planner Chapman presented the staff report and introduced the proposed licensing amendment.

Ryan inquired what an exclusive liquor store is.

Planning Director Ondich explained that under Minnesota State Statutes, it is defined as an establishment used exclusively for the sale of those items authorized in section 340A.412, subdivision 14. In other words, exclusive liquor stores can sell alcoholic beverages, tobacco products, ice, and soft drinks. This means that exclusive liquor stores cannot sell THC products.

Pike inquired if THC products could be sold at retail establishment.

Planning Director Ondich clarified that THC products can indeed be sold at retail establishments located in commercial and industrial districts.

Ryan inquired what would happen if the applicant applied to renew their license after the 60 days.

Planning Director Ondich explained that the applicant should renew their THC license within 30 days but no more than 60 days before expiration of current license. If they tried to renew their license 60 days after, there would be an administrative delay in granting the applicant a renewal of their license. The fee would be prorated.

Pike inquired if it's illegal for businesses to sell THC during the moratorium.

Planning Director Ondich responded that businesses that began selling THC products between Minnesota's legalization of THC and the establishment of New Prague's moratorium (July 1st-August 1st, 2022), can continue to sell THC products. In other words, businesses that were selling THC products before August 1st, were grandfathered in and may sell THC products. Businesses that were not selling THC before the moratorium cannot sell THC products until the moratorium has been lifted.

Chair Meyer inquired if there is a distance requirement from certain buildings such as schools.

Planning Director Ondich explained that the proposed THC ordinance does not have distance requirements. If the ordinance had distance requirements from schools, most of Main Street could not sell THC products due to St Wenceslaus School.

The public hearing was opened at 6:48 pm.

The public hearing was closed at 6:49 pm.

Chair Meyer asked if THC products could be sold in mobile food trucks during Dozinky festival.

Planning Director Ondich explained that no mobile sales of any kind such as trailers or mobile kiosks may sell THC products.

Planner Chapman noted that if New Prague decides to amend Chapter 121 on THC licensing, additional amendments may need to be made as Minnesota State Legislature make revisions.

A motion to approve and forward the proposed ordinance to City Council at their November 7th meeting was made by Ryan and seconded by Pike.

Motion carried (5-0).

**B. Review of Zoning Ordinance Amendment – Limited Retail in I-Light
Industrial Zoning District
City of New Prague – applicant
(Public Hearing Required)**

Planning Director Ondich presented the staff report.

Pike inquired if the 5,000 square feet maximum retail space is required for both single and multi-tenant buildings.

Planning Director Ondich clarified that retail sales would be limited to 30% of the gross floor area of a building for single and multi-tenant buildings. The maximum retail space cannot exceed 5,000 sq. ft.

Ryan asked if anything new was added to the proposed amendment since the last meeting.

Planning Director Ondich said that the proposed amendment now includes retail sales that are accessory to the principal structure. The amendment also limits the maximum retail space to 5,000 sq ft for both single and multi-tenant buildings.

The public hearing was opened at 6:56 pm.
The public hearing was closed at 6:57 pm.

A motion was made by Pike and seconded by Ryan to recommend approval of the proposed amendment to City Council.

Motion carried (5-0).

5. Miscellaneous

The following miscellaneous items were reviewed as information only:

A. Comprehensive Plan RFP Update

Planning Director Ondich updated the Planning Commission on the progress of the Comprehensive Plan. The deadline for firms to submit Comprehensive Plan proposals closed on October 5th, 2022. The City received a total of five Comprehensive Plans proposals.

Planning staff and the City Administrator conducted interviews with their top three firms: MSA, SEH, and WSB. Most of the firms showed a strong interest in receiving public input online and in person. Another common theme seen throughout the Comprehensive Plan proposals was the need to provide more visuals and reduce the clutter of text. A recommendation regarding which firm to select would be presented to the City Council on November 7th, 2022.

B. Monthly Business Updates

Planning Director Ondich presented the Monthly Business Updates. Heartland Credit Union purchased Lot 2, Block 1 of New Prague Commons Third Addition (100 Alton Ave SE) but staff does not know when they will begin building and moving out of the strip mall. The old McDonald's building still remains vacant and it is uncertain who will want that space. There has been a high volume of roofing/residing permits this year with a total of over 850 permits this year compared to the usual 75 permits per year.

Gengel inquired if Sugar Rose bought Farmhouse Market.

Planning Director Ondich explained that the new owner of the Farmhouse Market building will be leasing the property to Sugar Rose. Sugar Rose will be occupying the main floor of the building from what they have read.

6. Adjournment

A motion was made by Ryan, seconded by Pike, to adjourn the meeting at 7:07 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, flowing style.

Kyra J. Chapman
Planner