

Special Meeting Minutes
New Prague Planning Commission
Wednesday, February 24, 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 6:31 p.m. by Shawn Ryan with the following members present on the virtual meeting conference call: Mike Uttenhove and Paul Tupy. Absent was Vice Chair Dan Meyer (arrived at 6:43PM) and Chair Bob Gilman.

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

2. Approval January 27, 2021 Regular Meeting Minutes

It was moved by Tupy, seconded by Uttenhove, to approve the January 27, 2021 regular meeting minutes as submitted. Motion carried (3-0, Meyer had not yet arrived).

3. Old Business

A. None.

4. New Business

**A. Request for Variance #V1-2021 – Front Setback Variances and Parking Lot Variance for Addition at 200 7th Street NW
City of New Prague / New Prague Utilities Commission - applicant**

Planning Director Ondich presented the staff report. He stated that the New Prague Utilities Commission is proposing to construct a 95' by 145' building addition on to their existing 80' x 100' building located at 200 7th Street NE. He stated that the addition would be about the same height as the existing building at 22' tall. He stated that the additional space is needed for increased parking and equipment storage, wash bay, parts storage, office and work areas, modern rest rooms/locker rooms and lunch room area for the water and electric department field personnel for 15 to 20 years of growth. He stated that the existing building was constructed in 1988 for the New Prague Street Department and was later sold back and forth between the City and Chart and in 2004 to the NPUC. He stated that the I-1 Light Industrial District requires building to be 40' from front property lines and that the proposed addition would be 29.7' from 7th Street NW and 16.3' from 1st Ave. NW. He stated that a parking lot variance is also necessary as a portion of the proposed parking lot would

be 8.7' from the front property line instead of the ordinance required 15'. He stated that essential services, such as a water and electric department building, is considered a permitted use. He stated that the land to the north and west is also zoned I-1 Light Industrial with Chart, MVE Biological Solutions and Scott Equipment. He stated that the MVE building to the north is 31'11" to the front property line along 7th Street NW and that the Scott Equipment office building was granted a variance in 2011 to allow an office addition to be 21'10" from the front property line to TH21. HE stated hat other property to the east is residentially zoned and is used by the Middle School, bus garage and single-family homes to the northeast. He stated that NPUC completed a space needs study for the next 15-20 years and the two options considered were to add on to the existing building and to build new in the city's industrial park. He stated that the addition option was selected due to the central location, lower costs and because it would accommodate the growth for 15 to 20 years. He stated that the property is unit in shape and size being a corner lot and because of the shape of the right of way for former County Road 37 which is now known as 7th Street NW. HE stated that a strip of right of way that runs through the north side of the property will be vacated and that the proposal will allow the site to be utilized to it's fullest potential and will maintain two lots in the industrial park to be purchased by tax paying entities in the future. He stated that staff recommends approval of the variance with the findings listed in the staff report. He also noted that Utilities General Manager Bruce Reimers was in attendance should the Planning Commission have any questions.

No public comments were received.

A motion was made by Ryan, seconded by Meyer, to recommend that the City Council approve the variance with the following findings:

- A. The requested variance is in harmony with the general purposes and intent of this Ordinance because essential services are a permitted use in the I-1 Light Industrial Zoning District.
- B. The requested variance is consistent with the comprehensive plan because essential services are a permitted use in the I-1 Light Industrial Zoning District.
- C. The City / New Prague Utilities Commission will continue to use the property in a reasonable manner by constructing the building addition, moving the laydown area to the southwest corner of the site and constructing a more formal parking lot area adjacent to the building.
- D. Unique circumstances apply to this property over which the City and Utilities Commission had no control and which do not generally apply to other properties in the vicinity because the site is a corner lot, is unusually shaped, is partially hindered by Philipps Creek crossing the SE corner and also shares an access to 7th Street NW with the Chart storage site to the west.
- E. The variance does not alter the essential character of the neighborhood because surrounding land to the north and west are industrially used and land to the south and east and utilized by the middle school which has not been an issue with this site to date.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would allow the building addition to meet the space needs for

the Utilities Commission for 15 to 20 years into the future while maximizing the full utilization of the usable areas of the site.

Motion carried (4-0).

**B. 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 at the January 27th, 2021 Planning Commission meeting, a concept review of an ordinance amendment was reviewed and a public hearing on the proposed amendment was scheduled for tonight's meeting. He stated that staff has researched what other area cities and some other rural cities have for ordinance requirements and that more recent zoning ordinance provisions for indoor firing ranges are very similarly written. He read through the proposed ordinance amendment which included a definition of an indoor firing range, adding indoor firing ranges as a conditional use in the I-1 Light Industrial Zoning District and finally a set of performance standards for indoor firing ranges.

The public hearing was opened at 6:59 p.m.

No public comments were received.

The public hearing was closed at 7:00 p.m.

Commissioner Tupy asked why performance standard number two would not allow a new firing range to be less than 1,000 feet from an existing firing range.

Planning Director Ondich stated that he was not aware of an actual safety issue with allowing them less than 1,000 feet apart and that it was just language he found in many cities regulations but that it could be removed.

Mr. Tupy requested that the provision to be 1,000 feet away from another firing range be removed.

Commissioner Meyer asked if language could be added in that would limit firing ranges to be 1,000 ft. from a school or church.

Planning Director Ondich stated that he would remove limit of having two firing ranges within 1,000 feet of each other and replace with schools and churches instead as part of performance standard number two.

A motion was made by Tupy, seconded by Meyer, to recommend that the City Council consider adoption of the zoning ordinance for indoor firing ranges with the amendment to

performance standard number two to limit firing ranges within 1,000 of any church or school and to also allow firing ranges to be less than 1,000 feet apart. Motion carried (4-0).

5. Miscellaneous

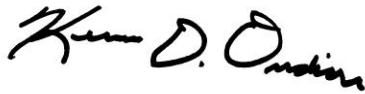
The following items were tabled to the March 24, 2021 Planning Commission meeting:

- A. Monthly Business Update
- B. 2021 Lot Inventory: Commercial, Industrial, Residential
- C. Annual Commercial Building Audit 2021
- D. Summary of 2020 Growth Statistics

6. Adjournment

A motion was made by Uttenhove, seconded by Tupy, to adjourn the meeting at 7:07PM. Motion carried (4-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kenneth D. Ondich". The signature is written in a cursive, flowing style.

Kenneth D. Ondich
Planning / Community Development Director