

Special Meeting Minutes
New Prague Planning Commission
Wednesday, May 27, 2020

*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 6:32 p.m. by Shawn Ryan with the following members present on the virtual meeting conference call: Mike Uttenhove and Paul Tupy. Absent were Chair Bob Gilman and Vice Chair Dan Meyer.

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

2. Approval April 22, 2020 Regular Meeting Minutes

It was moved by Ryan, seconded by Uttenhove, to approve the April 22, 2020 regular meeting minutes as submitted. Motion carried (3-0).

3. Old Business

A. None.

4. New Business

**A. Amend Conditional Use Permit #C1-2004 – 3,100 sq. ft. Office Addition to Holy Trinity Evangelical Lutheran Church
Holy Trinity Evangelical Lutheran Church, applicant**

Planning Director Ondich presented the staff report. He stated that Holy Trinity Evangelical Lutheran Church has applied to amend their existing Conditional Use Permit (C1-2004) to allow a 3,100 sq. ft. office addition. He stated that the original CUP was required for a 6,560 sq. ft. addition back in 2004. He stated that religious institutions are a conditional use in the B-2 Community Commercial Zoning District. He stated that the addition would contain eight offices, a reception area, bathrooms and a conference room all on the south side of the building. He stated that adjacent to the site Main Street is a minor arterial roadway and 1st Street SE is a commercial local roadway. He stated that a traffic study was not required for the small addition. He stated that a 2004 development agreement required the Church to be assessed for the future construction of 1st Street SE and to close off their access to TH19 when alternate access from 1st Street SE was made available. He stated that staff, the City Engineer and MnDOT all agree that the access to TH19 should be delayed until 1st Street SE connects at both 10th Ave. SE and Chalupsky Ave. SE and that the Church could install their segment of 1st Street SE with City inspections occurring. He stated that a triggering event for the Church to construct their segment of 1st Street SE

would be when 1st Street SE is substantially completed at both sides of their property or if MnDOT were to require the removal of the access to Main Street prior to that time. He stated that Section 725 of the Zoning Ordinance requires certain building design requirements including high quality materials, varying colors and roof lines and a sidewalk connection to adjacent trails and sidewalks. He stated that the proposed elevations meet ordinance requirements with burgundy colored steel siding and brick which matches the existing building materials. He stated that staff recommends a connection to the entrance from the future 1st Street SE sidewalk for pedestrians that may visit the site. He stated that no building signage or lighting is proposed at this time. He stated that staff recommends approval of the amendment to the conditional use permit with the findings and conditions listed.

The public hearing was opened at 6:54PM.

Karla Klingfus, Holy Trinity Evangelical Lutheran Church Council President, stated that the Church is agreeable to the staff recommendation and amending the development agreement.

Ben Hilding, Co-Pastor of Holy Trinity Evangelical Lutheran Church, stated that the Church was appreciative of the clarification of the development agreement per the recommendation. He added that they recognize 1st Street SE will be their future primary access, which is the reason for the addition to have their new office area on the south side of the building.

The public hearing was closed at 6:57PM.

A motion was made by Ryan, seconded by Uttenhove, to recommend approval of the Amendment to Conditional Use Permit #C1-2004 to allow a 3,100 sq. ft. office addition to the existing religious institution located at 1300 E. Main Street in the B-2 Community Commercial Zoning District, with the following findings:

- A. The proposed use of the property will not create an excessive burden on existing parks, schools, streets and other public facilities which serve the area because the project only adds a 3,100 sq. ft. addition for office staff which is being moved from an existing area of the building.
- B. The proposed use is sufficiently screened from residentially zoned land to the south.
- C. The structure and site will have a high-quality appearance that will not have an adverse effect upon the adjacent residentially used property as the addition will match the existing building materials.
- D. The use is reasonably related to the overall needs of the City and to existing land use, as the property has been zoned and will continue to be zoned B-2 Community Commercial in conformance with the City's comprehensive plan which allows Religious Institutions as a conditional use.
- E. The proposed use is specifically listed as a conditional use in the B-2 Community Commercial Zoning District and is therefore consistent with the purposes of the Zoning Ordinance.
- F. The proposed use 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.

- G. The proposed use will not cause traffic hazard or congestion as access changes and roadway improvements are or will be addressed by the existing or amended development agreement between the City and Church.
- H. Adequate utilities and access roads have been or will be provided to the site as noted in the current or amended development agreement.

And the following conditions:

1. The proposed office addition is approved in general accordance with the site plans dated 1/8/2020 and Foundation/Floor Plan/ Building Elevations dated 2/29/20 which are on file with the New Prague Planning Department subject to other conditions/changes required which are listed below.
2. The plans must meet Minnesota Building Codes and Minnesota Fire Codes prior to construction.
3. Shrubs or other vegetation must be added along the west building addition elevation to help break up the building expanse and soften the look of the building to 1st Street SE.
4. When the parking lot is reconstructed or repaved in the future, a connection from the sidewalk along 1st Street SE must be made through the parking lot to an entrance door of the building.
5. Development Agreement (Doc. #321562) shall be amended to delay the removal of the access to TH19 (Main Street) until 1st Street SE is fully connected to both 10th Ave. SE and Chalupsky Ave. SE. It shall also be amended to state that the segment of 1st Street SE along the south edge of the Church property shall be constructed by the Church with City oversight and inspection or as a public improvement project by the City in which the Church would be subject to a special assessment. Finally, the triggering event to require the construction of 1st Street SE along the south edge of the Church property shall be the time at which 1st Street SE is substantially completed at both the east and west sides of the Church property or if MnDOT should require the removal of the Church's access to TH19 prior to that time.

Motion carried (3-0).

**B. Review of Zoning Ordinance Amendment – Wetland Setbacks
City of New Prague., applicant**

Planning Director Ondich presented the staff report. He stated that the City has seen a recent influx of variance applications for wetland setbacks to structures with three being issued in the last year along and with six total since 2002. He stated that during the recent variance reviews the City Council asked staff to draft amendments to allow homes to be located up to but not encroaching into wetland buffers/easements that were previously established. He stated that wetlands with established buffers or easements have the necessary protections in place and do not need the more general 50' setback to structures from wetland edges. He stated that in 2002 the MPCA required the city to adopt a wetland buffer requirement as part of a Comprehensive Stormwater Management Plan with a 40' buffer and additional 10' to structures. He stated that the buffer and setback requirements are currently part of Section 734 of the Zoning Ordinance titled Land and Water Preservation since 2008 but that it kept the general buffer regardless of what the wetland assessment determined to be the

required buffer. He stated that it does not make sense to keep the 40' buffer in these cases as the protection that is required does not match the 40' buffer in many cases. He stated that staff does recommend keeping the general 40' buffer and additional 10' to structures in cases of wetlands in unplatted areas or where an easement/buffer was not previously established. He stated that the amendment would allow structures to be located up to already established wetland buffer/easements rather than the blanket 50' structure setback that exists in the ordinance today. He stated that the City Engineer supports the amendments as drafted.

The public hearing was opened at 7:08PM.

No public comments were received.

The public hearing was closed at 7:09PM.

A motion was made by Tupy, seconded by Uttenhove, to recommend that the City Council consider adoption of the zoning ordinance amendments relating to wetland setbacks.

Motion carried (3-0).

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 7:20PM. Motion carried (3-0).

Respectfully submitted,



Kenneth D. Ondich
Planning / Community Development Director