

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

1. Call Meeting to Order

The meeting was called to order at 6:35 p.m. by Vice Chair Matt Goldade with the following members present: Paul Tupy and Shawn Ryan. Absent were Bob Gilman and Dan Meyer.

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

2. Introduce Shawn Ryan as New Council Representative to Planning Commission

Council Member Shawn Ryan introduced himself to the Planning Commission and noted that the Planning Commission was the only board he had not yet served on during his years with the council.

3. Approval November 28, 2018 Regular Meeting Minutes

It was moved by Goldade, seconded by Tupy, to approve the November 28, 2018 regular meeting minutes as submitted. Motion carried (3-0).

4. Old Business

A. None.

5. New Business

**A. Request for Preliminary and Final Plat of Belzer Addition
JJM Properties II, LLC, applicant**

Planning Director Ondich presented the staff report. He stated that JJM Properties II, LLC has applied for approval of a preliminary and final plat of Belzer Addition which creates one 15.71 acre lot. He stated that the land is outside of City Limits but within the City's Extraterritorial Subdivision Review Area within 2 miles of the City so the City has subdivision review authority, but that LeSueur County retains zoning and permitting authority at this time. He stated that the plat is being done in preparation for annexation and development within the City Limits which will include approximately 6,000 sq. ft. of building additions, parking lot paving and public utilities. He stated that the property is zoned B, General Business within LeSueur County and will meet their minimum lot standards as well as the City's minimum lot standards once annexed into the City and zoned as B-2 Community Commercial. He also stated that the existing and proposed building areas would meet all the city's setback requirements and that a

10' easement is provided for around the perimeter of the lot as required. He stated that access to the property is from TH19 via a private driveway and that future extension of 3rd Street SE from the City to the east at County Road 3 will be accommodated for with ROW being obtained at this time, but construction occurring in the future. He stated that MnDOT and LeSueur County have requested specific ROW needs to be noted on the plat and that a wetland delineation was completed showing two wetlands that may be mitigated on or off-site with LeSueur County acting as the local government unit for review until the land is annexed into the City. He stated that Park Land Dedication and other development fees including a water area access charge, emergency warning siren fee and others will be collected at the time of annexation and will be noted in a development agreement. He stated that staff recommends approval of the preliminary and final plat of Belzer Addition with the findings and conditions listed in the staff report.

The public hearing was opened at 6:53PM.

Bob Hanson, 28918 141st Ave., stated that the plat touches his north property line and that he is concerned about future plans on the site for paving and parking that could cause storm water to enter his property near his septic system. He stated that his septic system is located on the north end of his property and that he is concerned that it may get swamped out as the Belzer site develops and would like to know how storm water is being handled on the site.

Planning Director Ondich stated that a concept plan for storm water improvements on the site had been submitted, but would be reviewed in further detail in review with a Conditional Use Permit request that was likely forthcoming in the near future that will look in more detail at the development on the site, including stormwater retention plans. He also noted that another public hearing would be held concerning those plans and that he would pass along the concerns to the engineers.

Mike Belzer, representative of the applicant JJM Properties II, LLC, stated that there are still some unknowns at this time and that the plan has been evolving and the details are starting to be worked out. He stated that they want to be good neighbor.

Mr. Hanson stated that he understands the plans for the dealership to expand, but just wants to make sure he is not negatively impacted.

Commissioner Ryan asked Mr. Hanson if he would consider utilizing city water and sewer if provided to his site.

Mr. Hanson stated that it would depend on the cost more than anything.

Marv Deutsch, 28414 141st Ave., asked why the property wasn't first annexed then platted and wanted to verify if it was only one lot being platted.

Planning Director Ondich stated that the platting was occurring first because that is what they were requesting under the City's extraterritorial review of plats within the

county and that the one platted lot would be petitioned for annexation which actually simplified the annexation legal description.

Lorie Klein, legal representative for the applicant, verified if the 3 members of the Planning Commission present constituted a quorum.

Planning Director Ondich stated that Council members are voting members of the Planning Commission and therefore there was a quorum present.

The public hearing was closed at 7:06PM.

A motion was made by Ryan, seconded by Goldade, to recommend approval of the Preliminary and Final Plat of Belzer Addition with the following finding:

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

and with the following conditions:

1. Approval is granted in general accordance with the Preliminary Plat submittal dated 1/8/2019 on file with the New Prague Planning Department.
2. Approval is granted in general accordance with the Final Plat submittal dated 1/8/2019 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 the LeSueur County Highway Engineer.
6. Approval is subject to all requirements of MnDOT District 7.
7. The City is not the LGU for the wetland permitting and therefore approval is subject to review by the LeSueur County Soil and Water Conservation District prior to final plat approval. Any remaining wetlands on the final plat, if any, must be covered by easements and buffers as required by Section 734 of the New Prague Zoning Ordinance.
8. The applicant must enter into a Developer's Agreement with the City of New Prague which will include, but not be limited to the topics of future 3rd Street SE construction and timing, payment of development fees, payment of park dedication, annexation and the extension of public utilities to the site.

Motion carried (3-0).

6. 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.

B. Comprehensive Sanitary Sewer Plan Update – Planning Director Ondich provided a summary of the plan’s presentation that was provided to the City Council by City Engineer Chris Cavett on January 22nd, 2019.

7. Adjournment

A motion was made by Tupy, seconded by Ryan, to adjourn the meeting at 7:17 p.m. Motion carried (3-0).

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