

Meeting Minutes
New Prague Planning Commission
Wednesday, July 25, 2012

1. Call Meeting to Order

The meeting was called to order at 6:32 p.m. by Planning Commission Chair Bob Gilman with the following members present: John Roos and Jay Nuhring. Absent were Dan Meyer and Dave Bruzek (arrived during the 4th agenda item).

City Staff Present: Ken Ondich – Planning Director

Others Present: Joanne Foust – City Consultant with Municipal Development Group

2. Approval of June 25, 2012 Regular Meeting Minutes

It was moved by Roos seconded by Nuhring to approve the June 25, 2012 regular meeting minutes as submitted. Motion carried (3-0, Meyer and Bruzek absent).

3. Old Business

None.

4. New Business

A. Variance #V4-2012 – Side Yard Setback at 201 4th Ave. NW

Planning Director Ondich presented the staff report. He stated that Casey's Retail Company owns the building at 201 4th Ave. NW and is proposing a 15' x 40' addition onto the north side of the building to allow for expansion of the kitchen and cooler areas in the building. He stated that the existing building was constructed in 1999 and that a variance was approved for the building in 1998 to allow it to be 13' 2" from the east property line which at the time required a 30' setback in the I-1 Zoning District. He stated that the City acquired property along the east side of the building for a future trail between 1999 and 2001. In 2001 Casey's Corporate bought the property from the former franchise owner. He stated that the proposed addition is necessary on the north side because of the existing mechanical equipment located on the south side of the building that would cause a practical difficulty to move. He stated that the addition is proposed to be 6' 9" from the east property line instead of the required 10'. He stated that the property is currently zoned B-3 Highway Commercial and that if the east lot line did not meander there would be no necessity for a variance. He stated that setbacks are generally required for health and public safety reasons but in the case of this situation that no future buildings would be located to the east because of the park land and trail in addition to the creek. He stated that staff recommends approval of the variance with the findings

contained in the staff report. He also noted that a representative of Casey's, David Buttler, was present to answer any questions the Planning Commission might have.

A motion was made by Bruzek, seconded by Nuhring, to recommend approval of Variance #V4-2012 from the side yard setback requirements in the B-3 Highway Commercial Zoning District to allow a 3' 3" variance from the minimum 10' side yard setback along the east property line for a 15' x 40' addition to the existing building at 201 4th Ave. NW for the following reasons:

- A. The variance to allow a 3' 3" encroachment into the required 10' side yard setback for a commercial building addition is in harmony with the general purposes and intent of this Ordinance because the proposed retail building addition is a permitted use B-3 Highway Commercial Zoning District.
- B. The variance to allow a 3' 3" encroachment into the required 10' side yard setback for a commercial building addition is consistent with the comprehensive plan because the subject property is guided as B-3 Highway Commercial and the retail building addition is a permitted use in the B-3 Highway Commercial Zoning District.
- C. The applicant proposes to use the property in a reasonable manner as a retail store with a proposed addition which is not permitted by the Zoning Ordinance because the side yard setback not being met.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the side lot line meanders in a non-linear fashion only due to the adjacent trail corridor and Philipps Creek causing the side yard to be reduced only near the proposed addition.
- E. The variance does not alter the essential character of the neighborhood because proposed building addition is located adjacent to the city park land and Philipps Creek which are not adjacent to any buildings now or in the future and the variance would not be needed if not for the non-linear property line in this location.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because the proposed addition will be 15' x 40' in size and will accommodate additional space needs for the operation and it would not make practical sense to require the corner of the building to be modified just to meet the side yard setback.

Motion carried (4-0).

B. Comprehensive Plan Update – Land Use Chapter #2

Joanne Foust, the City's consultant with Municipal Development Group, presented updated information for the Land Use Chapter of the Comprehensive Plan. She specifically detailed all the changes made to the Chapter since the June Planning Commission meeting, reviewed the new and updated maps to be included in the chapter, reviewed all the text changes, noted that a section on the number of jobs per acre was added, noted that a section on economic development was added, noted that a section on future utility service was added specific to the east and west sanitary sewer trunk mains, reviewed the future land use map and development constraints and nothing that overages of acres were being provided for intentionally and then finally that maps were added for ISTS and Feedlots.

The Planning Commission noted that Map 5-6 for redevelopment areas needed some changes specific to area 6 and area 7 which were incorrectly noted as future I-1 and instead should be noted as future B-1. It was also suggested that the city boundary on the map be changed to a red color to better stand out.

Commissioner Bruzek asked what constituted a “feedlot” on the map.

Planning Director Ondich stated that he did receive a description of the feedlots from LeSueur County which showed that some of the feedlots had rather small numbers of animals, but did not know what number of animals constituted a feedlot.

Ms. Foust stated that she could contact both counties to obtain their definitions of feedlots. She did note that most counties define a feedlot differently based on the number of animal units. She stated that depending on the animal, there are different animal units assigned to each type of animal.

Ms. Foust then reviewed the proposed survey for the Comprehensive Plan that would be made available online via Survey Monkey and also via paper format for those that would not want to fill out directly only.

The Planning Commission noted that they had some specific additions for the distribution of the survey including to the Chamber of Commerce and all members, all banking institutions and also businesses which were not chamber members. The Planning Commission also noted a few changes to be made to the survey to clarify some questions as well as adding that the survey respondents fill in their primary role within the community and optionally what their name and contact information is. They also discussed giving about 3 weeks for the survey to be completed.

The Planning Commission thanked Joanne Foust for her presentation.

5. Miscellaneous

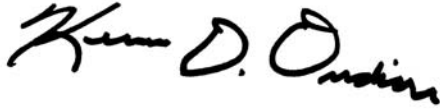
The following miscellaneous items were reviewed as information only:

- A. Monthly Business Update – Planning Director Ondich updated the Planning Commission with a report that was presented to the EDA earlier in the month.
- B. StarTribune Article – Farms Rise Again... - Planning Director Ondich stated that the article was provided for informational purposes only.
- C. StarTribune Article – House Lots Shrinking...- Planning Director Ondich stated that the article was provided for informational purposes only.
- D. 2011 Population Estimate - Planning Director Ondich stated that the memo was provided for informational purposes only.

6. Adjournment

A motion was made by Bruzek, seconded by Roos to adjourn the meeting at 7:45 PM. 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 Director