

**Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, June 27, 2012**

**1. Call Meeting to Order**

The meeting was called to order at 6:36 p.m. by Planning Commission Chair Bob Gilman with the following members present: Dave Bruzek and John Roos. Absent were Dan Meyer and Jay Nuhring (arrived at 6:52 PM).

City Staff Present: Ken Ondich – Planning Director

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

**2. Approval of May 23, 2012 Regular Meeting Minutes**

It was moved by Bruzek seconded by Roos to approve the May 23, 2012 regular meeting minutes as submitted. Motion carried (3-0, Meyer and Nuhring absent).

**3. New Business**

**A. Variance #V3-2012 – Front Setback for Home at 300 1<sup>st</sup> Ave. SE**

Planning Director Ondich presented the staff report. He stated that Habitat for Humanity has a purchase agreement for 300 1<sup>st</sup> Ave. SE with the owner Daniel L. Puls. He stated that an existing house in a state of disrepair exists on the lot and would be replaced with a 1,100 to 1,300 sq. ft. slab on grade home with an associated 20' by 24' detached garage. He stated that the property is a corner lot in the original plat of New Prague which was originally 66' but the north 17' was deeded to the City to be used as right of way for 2<sup>nd</sup> Street SE. He stated that there were some legal questions about the dedication and where the property line was located and that it was determined that the lot was only 49' wide as it exists today. He stated that after deducting setbacks that only 12' in width remained for a building area. He stated that the proposed home would be located 12' from the property line along 2<sup>nd</sup> Street SE and the garage would be 18' from the same road and would meet all other applicable setback requirements for the RL-84 Zoning District. He stated that the existing home was 24' wide and was 20.9' from 2<sup>nd</sup> Street SE and also did not meet the setbacks to 1<sup>st</sup> Ave. SE and the south property line. He stated that there is a home located directly north of 2<sup>nd</sup> Street SE that was issued a variance for an addition to be 15.1' from the front property line along 2<sup>nd</sup> Street SE and that a part of the home is located at 10' from the property line along 2<sup>nd</sup> Street SE. He stated that other homes on the block are located between 21' and 14' to the property line along 2<sup>nd</sup> Street SE. He stated that staff recommends approval of the variance with the findings contained in the staff report.

A motion was made by Bruzek, seconded by Roos to recommend approval of Variance #V3-2012 from the front yard setback requirements in the RL-84 Single Family Zoning

District to allow an 18' variance from the minimum 30' front yard setback along 2<sup>nd</sup> Street SE for a new residential dwelling at 300 1<sup>st</sup> Ave. SE and a 12' variance to the same setback for a detached garage, as proposed by Habitat for Humanity of South Central Minnesota, Inc., for the following reasons:

- A. The variance to allow an 18' encroachment into the required 30' front yard setback along 2<sup>nd</sup> Street SE for a new single family dwelling is in harmony with the general purposes and intent of this Ordinance because the proposed single family dwelling is a permitted use in the RL-84 Single Family Residential Zoning District.
- B. The variance to allow an 18' encroachment into the required 30' front yard setback along 2<sup>nd</sup> Street SE for a new single family dwelling is consistent with the comprehensive plan because the subject property is guided as single family residential and the new single family dwelling is a permitted use in the RL-84 Single Family Residential Zoning District.
- C. The applicant proposes to use the property in a reasonable manner which is not permitted by the Zoning Ordinance because the remaining buildable area on the lot after consideration of the setbacks leaves only a 12' wide buildable area which is not adequate for a residential dwelling.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the lot was originally platted at 66' in width and in 1921 the north 17' was deeded to the City for right of way purposes for 2<sup>nd</sup> Street SE, all of which predated the enactment of zoning regulations for the city. The zoning regulations now require a 30' setback from any public right of way which has reduced the buildable area width to only 12' for this residential lot.
- E. The variance does not alter the essential character of the neighborhood because proposed single family dwelling will be located at 12' from the north property line along 2<sup>nd</sup> Street SE while the property directly to the north is located at 10' from the property line along 2<sup>nd</sup> Street SE and other homes on the block are between 21' and 14' from the property line along 2<sup>nd</sup> Street SE which show there is not a common setback among the existing homes.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because proposed single family dwelling will be a single level, slab on grade home and be of a modest 1,100 sq. ft. to 1,300 sq. ft and 30' in width while meeting all the other required setbacks on the lot.

Motion carried (3-0).

## **B. Comprehensive Plan Update – Land Use Chapter**

Joanne Foust, the City's consultant with Municipal Development Group, presented updated information for the Land Use Chapter of the Comprehensive Plan. After presenting the information she asked that the Planning Commission provide feedback on the presented information. Some of the major areas she asked the Planning Commission to consider for feedback was in regards to whether the future land use needs should be based on the historical 80% residential versus 20% commercial industrial mix, what areas should be identified as redevelopment areas such as the former AMPI creamery site, the old gas station at the west end of Main Street and what other land use changes should be considered such as rezoning the former Wal-Mart project site to accommodate a large

commercial user, whether the block that includes Chameleon's and Skluzacek's Meat Market should be rezoned to B-1, the homes adjacent to the potential Chart project site on the east side of 1<sup>st</sup> Ave. NW and a remnant high density residential parcel in Heritage Estates 11<sup>th</sup> Addition.

Planning Director Ondich stated that the draft for review was still very preliminary and was intended to prepare the Planning Commission to think about the possible redevelopment and rezoning sites as well as how they see the mix of land uses continuing into the future. He noted that a SCALE initiative is to provide more jobs within Scott County and the City's in Scott County which may push the City away from its historic 80%-20% mix of residential to commercial uses. He stated that ideally there would be a larger percentage of commercial and industrial land in the future than historically in the past.

The Planning Commission discussed the draft of the Land Use Chapter including the maps and text.

It was noted by Planning Director Ondich and Consultant Foust that further information, including new numbers on the maps would be provided at the July Planning Commission meeting and that if any members had ideas in the next month to let them know.

The Planning Commission thanked Joanne Foust for her presentation.

#### **4. Old Business**

##### **A. Variance #V1-2012 – Freestanding Sign at 215 E. Main Street**

Commissioner David Bruzek excused himself from the Commission and sat in the audience as an applicant representative for the agenda item.

Planning Director Ondich presented the staff report. He stated that St. Wenceslaus Church at 215 E. Main Street is a 7 acre site zoned RL-70 Single Family Residential and has 3 public road frontages. He stated that they are currently only allowed one single 32 sq. ft. sign for the entire campus area and that if the site were zoned B-1 Central Business like the surrounding area they would be allowed to have 100 sq. ft. of signage per frontage. He stated that they are requesting a new 53.3 sq. ft. sign along Main Street while keeping another existing sign along Main Street at 14.2 sq. ft. and also moving an existing sign along Main Street to the NW corner of the church. He stated that the overall total of 3 signs would be 83.1 sq. ft. which would be far less than other much smaller lots just to the south of their site. He stated that staff recommends approval of the variance with the findings contained in the staff report.

Commissioner Roos asked if a variance was granted for the two existing signs along Main Street.

David Bruzek, applicant representative, stated the western ACCL sign was probably constructed in the early 1990's and that the aluminum entrance sign was there since he can remember.

Planning Director Ondich stated that the modern sign ordinance has been in place only since the year 2000 and that he did not see any indication of a previous variance for the existing signage.

Commissioner Nuhring asked about the material for the sign face.

Mr. Bruzek stated that it would be pre-cast concrete in a color similar to Kasota Stone that is found elsewhere on the church and school buildings. He stated that the letters will be fastened by inserts allowing them to be changed if needed.

Commissioner Nuhring asked if the sign would be lit.

Mr. Bruzek stated that they are not planning to light the sign because of the adjacent street lights and because it may be too expensive to light. He stated that there is an electricity source nearby if they should decide to light it in the future.

A motion was made by Nuhring, seconded by Roos to recommend approval of the variance from the sign regulations in the RL-70 Single Family Zoning District to allow three monument signs and also to allow one single sign to be 53.3 sq. ft. at 215 E. Main Street for the following reasons:

- A. The variance to allow the proposed signs is in harmony with the general purposes and intent of this Ordinance because the Church Campus is an allowed conditional use in the RL-70 Zoning District and because of its size and number of buildings requires additional signage for providing building locations, church services information and general directional information. Building materials for the new sign along Main Street will be consistent with the existing church buildings and would also fit with the B-1 Design Guidelines.
- B. The variance to allow the proposed signage is consistent with the comprehensive plan because the Church Campus is an allowed conditional use in the RL-70 Zoning District and the adjacent properties are zoned B-1 Central Business which would allow substantially more signage than the Church Campus zoning allows.
- C. The applicant will continue to use the property in a reasonable manner which is not affected by the proposed signs which are meant to provide information only and do not affect the use.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the church campus is about 7 acres in size, has three public road frontages, numerous buildings and is severely limited in allowed signage because it is located in the RL-70 Single Family Zoning district which would only allow one freestanding sign up to 32 sq. ft..
- E. The variance does not alter the essential character of the neighborhood because the new proposed sign will be of an enhanced appearance compared to the existing sign that will be relocated away from a public road frontage and also because the surrounding property is zoned B-1 Central Business and each parcel would be allowed up to 100 sq. ft. of signage on small lots while the 7 acre church campus is proposing a total of 83.1 sq. ft. of signage in total.

- F. The variance requested is the minimum variance which would alleviate the practical difficulties because the proposed signs and size of signs is based on the minimum information required to be placed on the signs and to be visible from the adjacent roadways.

Motion carried (3-0, Bruzek excused himself from the discussion and vote).

Commissioner Bruzek re-joined the Commission.

## 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.

## 6. Adjournment

A motion was made by Roos, seconded by Bruzek to adjourn the meeting at 8:36 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