

**Meeting Minutes**  
**New Prague Planning Commission**  
**Wednesday, November 18, 2015**

**1. Call Meeting to Order**

The meeting was called to order at 6:30 p.m. by Planning Commission Vice Chair Bob Gilman with the following members present: Matthew Goldade, Dan Meyer and Jenna Tuma. Absent was Jay Nuhring.

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

**2. Approval of October 28, 2015 Regular Meeting Minutes**

It was moved by Goldade, seconded by Meyer, to approve the October 28, 2015 regular meeting minutes as submitted. Motion carried (4-0).

**3. Old Business**

**A. None.**

**4. New Business**

**A. Conditional Use Permit Request #C2-2015 – Additions to Educational Campus at Existing CEC – 410 Central Ave. N.  
ISD #721 - applicant**

Planning Director Ondich stated that a May 2015 School District Referendum was passed to provide for various school district building improvement projects including a renovation of the Central Education Campus with an indoor pool addition. He stated that the CEC currently contains the 6<sup>th</sup> Grade Annex, District Offices, Transitions Program, Operations Department and Alternative Learning Center. He stated that the 1923 portion of the building would be demolished and the remaining portion of the building would be would house Early Childhood Education, District Offices, Transitions Program and the Operations Offices along with an addition to house an indoor pool. He stated that a CUP is required because of the changes being made to the site as an educational campus in the RL-90 Single Family Residential Zoning District. He stated that the indoor itself did not require review as a conditional use as it was a permitted use in the district. He stated that the adjacent zoning is mostly RL-84 Single Family Residential with single family homes except for the north which are recreational fields. He stated that parking is the biggest topic of discussion for the site in staff's opinion. He stated that a new parking lot is planned on the south side of the site. He stated that the existing parking lot on the south side of the site will have an additional curb cut added and will be expanded. He

stated that the site will provide for 201 parking spaces compared to the 230 that exist today, but that they are in a better location for staff and visitors. He stated that the zoning ordinance only requires 128 parking spaces but that the additional parking is needed, particularly as it relates to the adjacent Middle School site which has a parking deficit. He stated that a condition of approval will be that the northern most 27 parking stalls will be used by Middle School staff to park at the site. He stated that a condition of approval will be that staff must park in off-street parking spaces and not on adjacent roads as occurs today. He stated that the former ice rink property owned by the school should be reserved for future overflow parking needs. He stated that all new parking areas must be landscaped with trees around the perimeter at 40' spacing. He stated that the loading dock and dumpster area will be screened from view of the adjacent homes. He stated that lighting standards must be met to protect the adjacent residential homes and that signage must meet ordinance requirements. He stated that high quality building materials are proposed with brick, windows and other visual enhancements. He stated that staff recommends approval of the conditional use permit with the conditions and findings listed in the staff report.

The public hearing was opened at 6:57PM.

Merlin Stresnak, 500 1<sup>st</sup> Ave. NW, stated that he was concerned about the loading dock area on the northwest corner of the building. He stated that he was most specifically concerned about the sounds and asked what type of vehicles would use the loading dock.

Eric Linner, Wold Architects, stated that the loading dock area would be brought down 4' lower than exists today for the dumpsters. He stated that it should help reduce the sound but he could not say how much.

Craig Most, School District Director of Operations, stated that the loading area was designed to accommodate semi-trucks.

Mr. Stresnak stated that he sees vehicles speeding through on 1<sup>st</sup> Ave. NW heading north towards County Road 37. He also stated that he is concerned about the removal of the stop signs on 3<sup>rd</sup> Street NW in the area with the added traffic.

Planning Director Ondich stated that he City will certainly keep an eye on the situation with the stop signs and could evaluate the situation again once the project is complete.

Mr. Stresnak stated that he liked that the CEC site would have a break from activity in the summer months, but that now with the pool and other activities there will probably be continual traffic in the area.

Troy Kuphal, 404 1<sup>st</sup> Ave. NW, stated that he lives at the northwest corner of 1<sup>st</sup> Ave. NW and 3<sup>rd</sup> Street NW and stated that he generally supports the project. He asked if there was a traffic study required for the project.

Planning Director Ondich stated that it was determined that the change of the use was not drastic enough to require a traffic study with any peak trip times that would warrant such a study.

Mr. Kuphal stated that he believes people speed through the area and that maybe speed bumps could be considered. He stated that he is also concerned about lighting on the site. He stated that the existing building has fluorescent lights on it.

Planning Director Ondich stated that there are glare standards which require hooding of lights and maximum light measurements to the property and street.

Mr. Kuphal asked how dust from the demolition of the building would be addressed.

Mr. Linner stated that requirements to control dust would be put in the specifications for the demolition of the building along with asbestos removal. He also pointed out that some of the vehicles parking on the street today are Alternative Learning Center students which would be moved out to what exists today as the Early Childhood Center near Falcon Ridge Elementary. He stated the removal of the 1923 building and the parking lot to be constructed there will allow staff to park by the building entrances.

Mr. Kuphal asked if there could be alternative plans for landscaping to also consider other low growing shrubs around the perimeter. He also stated that there are thousands of bats that live in the 1923 building tower today and that it's amazing to watch, but wondered how they will be addressed before the building is demolished.

Tim Dittberner, Superintendent of New Prague Schools, stated that he understands the concerns of the neighbors. He stated that the 35 to 40 students from the alternative learning center would no longer be at the site which would cut down on vehicles in the area. He also noted that there will be no student buses coming and going from the site.

Doug Zweber, 408 1<sup>st</sup> Ave. NW, stated that the lights on the building are way too bright as they exist today. He stated that one of the lights on the building blinks on an off and it's quite annoying. He stated that he would like to see a light barrier for the parking lot, particularly for vehicle headlights. He stated that he also wanted to comment on snow removal times and that there was an event where snow fell on a Friday and it was not cleared from the CEC site until Sunday night after 10PM and asked if the School could be more reasonable in its snow removal times. He stated that he is glad the alternative school will be gone as he is tired of picking up their trash. He stated that the resident parking only signs were removed when the streets were reconstructed and asked if they could be re-installed. He stated that getting the staff vehicles off the adjacent streets was a good thing in his opinion.

The public hearing was closed at 7:12PM.

Commissioner Goldade stated that his major concern is parking.

Chair Gilman stated that his main concern was also parking.

Commissioner Tuma stated that she wondered if there were enough ADA parking spaces near the pool entrance area for some of the seniors that may utilize the pool. She also asked how buses would be staged for swim meets.

Mr. Dittberner stated that the busses would be staged at the east side of the Middle School.

Commissioner Tuma asked which way the one-way would run on the north side of the pool building.

Mr. Linner stated that the one-way would run from east to west.

Commissioner Tuma stated that the plan did a nice job of accommodating the space that is available on the site.

Commissioner Meyer asked if the dumpster noises were limited to a certain period of time.

Planning Director stated that the noise ordinance did not allow certain noises before 7AM in the morning and 10PM at night but that snow removal was not subject to such regulations.

A motion was made by Tuma, seconded by Goldade, to recommend that the City Council approve Conditional Use Permit #C2-2015 to allow an educational campus including early childhood education, transitions program, operations office and district office in an existing building along with some small additions at 410 Central Ave. N. in the RL-90 Single Family Zoning District for the following reasons:

- 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 site is actually providing an increase in these available amenities to the community.
- B. The proposed use is sufficiently compatible with the surrounding residentially zoned and used land as the use has existed for many years without depreciating the property values in the area.
- C. The structure and site will have an enhanced appearance with landscaped parking lots and an improved building exterior appearance utilizing high quality building materials.
- D. The use is reasonably related to the overall needs of the City and to existing land use, as it will provide for needed educational and recreation facilities as documented by the School District voter approved referendum which was the impetus for the project to be completed.
- E. The proposed use for educational facilities is specifically listed as a conditional use in the RL-90 Single Family 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 RL-90 Single Family Residential Zoning District.
- G. The proposed use will operate essentially the same as the existing education facility on the site except that the proposed indoor pool will likely generate a few more evening and weekend vehicle trips over what exists today but will not cause any traffic hazard or congestion, particularly with staff vehicles being moved to off-street parking areas.
- H. Adequate utilities and access roads have been provided to the site.

And with the following conditions:

1. Development of the site must be in general accordance with the site plan dated 11/9/2015 which is on file with the New Prague Planning Department.
2. All signs must conform to Section 718 of the Zoning Ordinance which require a permit under a separate permit process.
3. All lighting must conform to Section 704 of the Zoning Ordinance.
4. All dumpsters, garbage containers or refuse bins provided on the site outside of a building shall be screened from view in accordance with Section 703 of the Zoning Ordinance.
5. All recommendations of the New Prague Public Works Department, Utilities Department and City Engineer must be complied with prior to construction.
6. All school district staff shall be required to park in designated off-street parking spaces and shall not park on public roadways adjacent to the site.
7. The School District owned land (PID 24-002-0670) shall be reserved and available for possible event overflow parking if it is determined within the first year of full operation of the CEC site that traffic congestion due to lack of parking is documented.
8. 27 parking stalls must be designated and signed for Middle School Staff to park at on site. The specific spaces to be signed shall be the northerly most 27 parking spaces by the pool.
9. A tree is required to be planted at least every 40' along the perimeter of all new or expanded parking lots adjacent to a roadway (1<sup>st</sup> Ave. NW, 3<sup>rd</sup> Street NW and Central Ave. N.) but screening is not required along the perimeter of the site as it would be a security concern for the educational facility.
10. The one-way drive aisle at the north end of the indoor pool addition must be signed clearly to avoid traffic flow confusion.

Motion carried (4-0).

**B. Variance Request #V4-2015 – Setback for Indoor Pool Addition at CEC – 410 Central Ave. N.  
ISD #721 - applicant**

Planning Director Ondich stated that the requested variance would allow a reduction in the minimum setback from 30' to 22' along Central Ave. N. for an indoor pool addition at the CEC building. He stated that the indoor pool addition would be constructed on the north side of the existing gymnasium. He stated that

the existing gymnasium and CEC building was constructed in 1961 prior to the adoption of any zoning ordinance in the City. He stated that the existing CEC building gymnasium does not meet the 30' minimum setback and is as close as 12' to the property line along Central Ave. N. today. He stated that the proposed addition would be no closer than 22' to the property line along Central Ave. N. He stated that most single family homes in the area also do not meet the minimum setback requirement of 30' and that it's a typical neighborhood condition. He stated that staff recommends approval of the variance with the findings listed in the staff report.

Troy Kuphal, 404 1<sup>st</sup> Ave. NW, stated that he doesn't have any concerns and supports the variance and that's its consistent with the character of the neighborhood and certainly not any worse. He asked what the actual use of the pool would be.

Tim Dittberner, Superintendent of New Prague Schools, stated that during the school day the pool area would be used by physical education classes from the middle school and possibly the high school. He stated that it would also be open during portions of the day for community use. He stated that there would be use of the pool area seven days a week. He stated that the swim team would have practices and would hold probably six meets a year between September and October.

Commissioner Goldade asked about a fee for the use of the pool and if there would be memberships.

Mr. Dittberner stated that there would likely be some sort of pass or membership fee for the pool use but that had not yet been determined.

A motion was made by Goldade, seconded by Meyer to recommend that the City Council approve Variance #V4-2015 to allow a reduction in the minimum setback from 30' to 22' along Central Ave. N. for an indoor pool addition at 410 Central Ave. N. with the following findings:

- A. The requested variance to allow the proposed indoor pool addition to be located at 22' from the front property line along Central Ave. N. is in harmony with the general purposes and intent of this Ordinance because "public recreation" facilities are a permitted use in the RL-90 Single Family Residential Zoning District.
- B. The requested variance to allow the proposed indoor pool addition to be located at 22' from the front property line along Central Ave. N. is consistent with the comprehensive plan because the subject property including an indoor pool as a "public recreation" facility are a permitted use in the RL-90 Single Family Residential Zoning District.
- C. ISD #721 will continue to use the property in a reasonable manner as the addition would allow for an indoor pool addition which is a permitted use and it would be setback further from Central Ave. N. than the existing school building.

- D. Unique circumstances apply to this property over which the property owners had no control and which do not generally apply to other properties in the vicinity because the existing school building was constructed in 1961 which predated zoning ordinances in the City of New Prague and the addition is being designed to integrate with an existing building that does not meet the minimum setback requirement and to also accommodate an electric feeder line which will be located between the proposed addition and Central Ave. N.
- E. The variance does not alter the essential character of the neighborhood because the subject neighborhood and school building were all constructed prior to the adoption of a zoning ordinance in New Prague and most of the buildings in the vicinity do not meet the minimum 30' front setback that is required today by the zoning ordinance and the proposed addition will be further away from the front property line than the existing building along Central Ave. N.
- F. The variance requested is the minimum variance which would alleviate the practical difficulty because it would allow the addition to integrate with the existing structure from a functional standpoint.

Motion carried (4-0).

**C. Conditional Use Permit Request #C3-2015 – Additions to Existing Middle School – 721 Central Ave. N.  
ISD #721 - applicant**

Planning Director Ondich stated that a May 2015 School District Referendum was passed to provide for various school district building improvement projects including renovations and additions to the Middle School. He stated that additions and renovations will enlarge the building to accommodate the 6<sup>th</sup> grade class moving from the CEC back into the Middle School. He stated that additions include 12 classrooms, and 8,000 sq. ft. auxiliary gymnasium, fitness room, new main office and kitchen. He stated that a new visitor parking lot will be constructed on the west side of the building near the enhanced front entrance. He stated that interior renovations will be made to the Special Education Department. He stated that the site has a shortage of parking and some staff will be required to park at the CEC site. He stated that the conditional use permit is required for use as an educational facility even though it has been used this way for years due to the additions and alterations proposed. He stated that the proposed use of the site is a conditional use in the RL-90 Single Family Zoning District. He stated that adjacent zoning is RL-84 Single Family Residential on the south side with one adjacent home but the rest of the adjacent property was owned by or used by the school district in some fashion. He stated that parking is the biggest area of concern for the site. He stated that a new visitor parking lot would be added on the west side of the site near the building entrance and that the south side parking lot would be expanded for more staff parking spaces. He stated that the plans show 97 parking spaces versus the 91 which exist today, with twenty of the spaces being specifically reserved for visitors. He stated that the zoning ordinance requires 142 parking spaces based on 1 space being required for every 7 students with a 990 student building capacity. He noted that with 104 staff working in the building and only 77

staff parking spaces that 27 staff will need to park at the adjacent middle school lot and not on adjacent streets. He stated that a condition will also be noted to reserve the existing bus garage area for future parking if the bus garage were ever to move to a new location. He stated that all new parking lots must be landscaped with perimeter trees spaced no more than 40' apart along the edge and that the loading dock area with dumpsters must be screened as required by the zoning ordinance. He stated that lighting and signage must also meet ordinance requirements. He noted that high quality building materials are being proposed with brick, windows and other visual enhancements. He stated that staff recommends approval of the conditional use permit with the findings and conditions listed in the staff report.

The public hearing was opened at 7:48PM.

No public comments were received.

The public hearing was closed at 7:49PM.

Commissioner Tuma asked if the sight lines around the gymnasium additions were being maintained.

Planning Director Ondich stated that there would be adequate sight lines when exiting the bus loop onto County Road 37.

A motion was made by Tuma, seconded by Meyer, to recommend that the City Council approve Conditional Use Permit #C3-2015 to allow a middle school in an existing building along with a classroom addition, gymnasium addition and kitchen expansion at 721 Central Ave. N. in the RL-90 Single Family Residential 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 middle school is actually providing an increase in school space for the community.
- B. The proposed use is sufficiently compatible with the adjacent residentially zoned and used land as the use has existed for many years without depreciating the property values in the area.
- C. The structure and site will have an enhanced appearance with improved building exterior appearance utilizing high quality building materials.
- D. The use is reasonably related to the overall needs of the City and to existing land use, as it will provide for needed educational facilities as documented by the School District voter approved referendum which was the impetus for the project to be completed.
- E. The proposed use for educational facilities is specifically listed as a conditional use in the RL-90 Single Family 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 RL-90 Single Family Residential Zoning District.



- G. The proposed use will operate as it does today except with the 6<sup>th</sup> grade again occupying the building it may generate a few more vehicle trips which had previous occurred at the adjacent CEC building but will not cause any traffic hazard or congestion.
- H. Adequate utilities and access roads have been provided to the site.

And with the following conditions:

1. Development of the site must be in general accordance with the site plan dated 11/9/2015 which is on file with the New Prague Planning Department.
2. All signs must conform to Section 718 of the Zoning Ordinance which require a permit under a separate permit process.
3. All lighting must conform to Section 704 of the Zoning Ordinance.
4. All dumpsters, garbage containers or refuse bins provided on the site outside of a building shall be screened from view in accordance with Section 703 of the Zoning Ordinance.
5. All recommendations of the New Prague Public Works Department, Utilities Department and City Engineer must be complied with prior to construction.
6. All school district staff shall be required to park in designated off-street parking spaces and shall not park on public roadways adjacent to the site.
7. 27 parking stalls must be designated and signed for Middle School Staff to park at the adjacent CEC site. The specific spaces to be signed shall be the northerly most 27 parking spaces at the CEC site by the pool.
8. A tree is required to be planted at least every 40' along the perimeter of all new or expanded parking lots adjacent to a roadway (County Road 37 (7<sup>th</sup> Street NE) and Central Ave. N.) but screening is not required along the perimeter of the site as it would be a security concern for the educational facility.
9. The one-way drive aisle into the new visitor parking lot off Central Ave. N. must be signed clearly to avoid traffic flow confusion.
10. The proposed parent drop-off/pick-up lane along Central Ave. N. right-of-way will not be permitted to be installed as it would present a maintenance issue (plowing, roadway maintenance).
11. The School District owned land which is the location of the current bus garage shall be reserved and available for future parking. If the bus garage is ever relocated and traffic congestion due to lack of parking is documented, this land shall be first utilized for staff parking during the day and event overflow parking at all other times.

Motion carried (4-0).

**D. Variance Request #V5-2015 – Setback and Parking Variances at Middle School – 721 Central Ave. N.  
ISD #721 - applicant**

Planning Director Ondich stated that the variance requested would allow a reduction in the minimum setback from 30' to 20' along County Road 37 for a gymnasium addition, a reduction in the minimum setback from 30' to 28' along Central Ave. N. for a classroom addition and also a minimum parking space

variance to allow 97 parking spaces versus 142 required spaces. He stated that the middle school building was constructed in 1976 and currently meets all setback requirements. He stated that most single family homes in the area also do not meet the minimum front setback requirement of 30' and that it's a general neighborhood condition and also noted that the adjacent CEC building is located up to 12' from the property line along Central Ave. N. He stated that the building addition locations are the only functional choices for both the gymnasium and classroom additions and noted that additional parking is available at the adjacent CEC site as it concerns the minimum parking variance.

A motion was made by Goldade, seconded by Meyer to recommend that the City Council approve Variance #V5-2015 to allow a reduction in the minimum setback from 30' to 20' along County Road 37 (7<sup>th</sup> Street NE) for a gymnasium addition, allow a reduction in the minimum setback from 30' to 28' along Central Ave. N. for a classroom addition and finally allow for a minimum parking space variance at 721 Central Ave. N. for the following reasons:

- A. The requested variances are in harmony with the general purposes and intent of this Ordinance because middle schools are a permitted use in the RL-90 Single Family Residential Zoning District.
- B. The requested variances are consistent with the comprehensive plan because the subject middle school is a permitted use in the RL-90 Single Family Residential Zoning District.
- C. ISD #721 will continue to use the property in a reasonable manner as the variances would allow for an expanded middle school facility which is a permitted use.
- D. Unique circumstances apply to this property over which the property owners had no control and which do not generally apply to other properties in the vicinity because the existing school building was constructed in 1976 it was likely not constructed to anticipate the future need for additional classrooms and gymnasium space which is evident by the placement of the building on the site which did not leave any particular area on the property available for future expansions.
- E. The variances does not alter the essential character of the neighborhood because the subject neighborhood and adjacent school buildings were all constructed prior to the adoption of a zoning ordinance in New Prague and most of the buildings in the vicinity do not meet the minimum 30' front setback that is required today by the zoning ordinance and the proposed addition along Central Ave. N. will be further away from the front property line than the existing building and proposed building addition along Central Ave. N. and overflow parking is available at the adjacent CEC site to make up for the subject site not providing for the minimum required park.
- F. The variances requested are the minimum variances which would alleviate the practical difficulties because it would allow the additions to integrate with the existing structure from a functional standpoint and would allow the some parking to be provided for on an adjacent school owned property.

Motion carried (4-0).

## 5. Miscellaneous

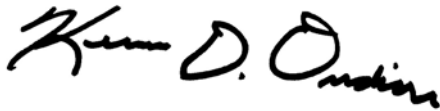
The following miscellaneous items were reviewed as information only:

- 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 Goldade, seconded by Meyer to adjourn the meeting at 8:01 p.m. 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