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## MEMORANDUM

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**TO:** PLANNING COMMISSION

**FROM:** KEN ONDICH – PLANNING/COMMUNITY DEVELOPMENT DIRECTOR  
KYRA CHAPMAN – PLANNER

**SUBJECT:** REQUEST FOR INTERIM USE PERMIT #I3-2025 TO ALLOW A SPA/WELLNESS CENTER IN THE I-1 LIGHT INDUSTRIAL ZONING DISTRICT AT 100 2<sup>ND</sup> AVE SW, AS PROPOSED BY EMILY BOMSTA

**DATE:** MAY 19, 2025

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### **Background**

The New Prague Flouring Mill was first established in 1896 and was the main economic driver in the City, making New Prague a large manufacturer of flour for several years. However, in 2019 Miller Milling closed their business, later selling the property to current owners, New Prague Mill, LLC, who are repurposing the property for multiple tenant uses. The building is partially occupied by Faith, Recovery & Music, Fancy Bones Pet Salon, and 2 If By Sea Tactical Firing Range. It is also being used for warehousing purposes by MVE Biological Solutions, CVF Racing, Prime Look Home Remodeling, etc. So far in 2025, alone, two planning permits were approved: I1-2025 to allow a dog grooming business, and V2-2025 to allow setback and lot width reductions and increases in maximum land coverage for an administrative lot split. Interim use permit I2-2025 to allow a rail car repair business was withdrawn.

The applicant, Emily Bomsta, is requesting an interim use permit to allow an aesthetician business to occur within the old mill. Services would include waxing, spa treatments, and massage. In the future, they may offer retail such as scalp care products.

### **Legal Description**

Parcel 1:

Lots 1, 2, 3, and 4 in Block No. 4, in the Village (now City) of New Prague, Le Sueur County, Minnesota.

Parcel 2:

Lot 4, Block 26, Syndicate Addition to New Prague, Le Sueur County, Minnesota, together with that part of the North half of the Vacated alley lying West of the Southerly extension of the East line of said Lot 4.

Parcel 3:

Block 22 of “Beans Re-Arrangement of Block 22 and 23 Syndicate Addition to New Prague”.

Parcel 4: Block 23 of “Beans Re-Arrangement of Blocks 22 and 23 Syndicate Addition to New Prague”, together with the vacated alley and the North half of vacated “L” street as shown on said Plat.

Parcel 5:

Lots 1 and 2, Block 23-1/2, of “Beans Re-Arrangement of Blocks 22 and 23 Syndicate Addition to New Prague”, together with the South half of vacated “L” Street as shown on said Plat.

Parcel 6:

Commencing with the intersection of the County Road with the line of the right way of the M. & St. L. Ry. Co., on the East side of their track, thence running East 70 feet, thence South 356 feet to a point 75 feet East of the said right of way line, thence west 75 feet to said right of way, thence running North 356 feet to the point of beginning, being in the NW1/4 of NW1/4 of Sec. 3-112-23, Le Sueur County, Minnesota.

Parcel 7:

The tract of land lying and being in the County of Le Sueur and State of Minnesota, described as follows, to wit: Beginning at a point on the North line of Section Three (3), Township One Hundred Twelve (112) North, Range Twenty-three (23) West, said point being distant East, One Hundred Fifty (150) feet, measured along said section line from the original centerline of the Railways main track; thence Southwardly Four Hundred Nine and Five-Tenths (409.5) feet, to a point distant Easterly Sixty-Seven and Ninety-seven Hundredths (67.97) feet, measured at right angles thereto, from said centerline of main track, thence Northwardly, parallel with said centerline of main track, Three Hundred Seven and One-Tenth, (307.1) feet; thence eastwardly at right angles, Three and Six Tenths (3.6) feet; thence Northwardly about One Hundred (100) feet to a point on said Section line distant West Sixty-Nine and Seventy-Three Hundredths (69.73) feet from the point of beginning; thence East, upon and along said Section line Sixty-Nine and Seventy-three Hundredths (69.73) feet to the point of beginning.

Parcel 8:

That part of the NW1/4 NW1/4 of Section 3, Township 112 North, Range 23 West, City of New Prague, Le Sueur County, Minnesota, described as follows: Commencing at the intersection of the centerline of main track of the Union Pacific Railroad Company and the North line of Section 3; thence N. 90 degrees 00 minutes 00 seconds E. (assumed bearing) along the North line of Section 3, a distance of 150.00 feet; thence S. 07 degrees 06 minutes 51 seconds W., 409.64 feet to a point distant 67.97 feet Easterly of and measured at right angles from the centerline of said main track; thence N. 04 degrees 22 minutes 30 seconds W., parallel with the centerline of said main track, 307.10 feet; thence N. 85 degrees 37 minutes 30 seconds E., 3.60 feet; thence N. 00 degrees 28 minutes 52 seconds E., 67.01 feet to the Southerly right of way line of State Highway No. 19 (Main Street); thence N. 90 degrees 00 minutes 00 seconds W., along said right of way line, a distance of 27.32 feet to a point distant 50.00 feet Easterly of and measured at right angles to the centerline of said main track; thence S. 04 degrees 22 minutes 30 seconds E., parallel with the centerline of said main track, 464.37 feet; thence N. 07 degrees 06 minutes 51 seconds E., 90.22 feet to the point of beginning.

### **Neighborhood Conditions**

North – Central Business District / Main Street

South – I-1 Light Industrial Zoned properties and to the southeast are some residential dwellings separated by public roads from the subject site.

East – Mach Lumber which is zoned I-1 Light Industrial and single-family homes further east

West – Union Pacific Railroad and beyond that is the B-3 Highway Commercial Zoning District and TH13/21.

Overall, the former mill property is very unique in that it is surrounded by many different zoning districts. It is also unique in that it is an industrial property located essentially in the downtown area which is evidenced by the many nearby bars/restaurants and other similar uses.

### **Applicant's Statement**

The applicant, Emily Bomsta, provided the following statement on 4/30/2025:

“As an advanced, licensed aesthetician, I plan to offer services including waxing and head spa treatments—a unique and deeply relaxing service that functions like a facial for the scalp. These treatments address common scalp and hair concerns such as dryness, oiliness, dandruff, acne, and even hair loss. They also promote healthy hair growth, improve texture, and provide soothing stress relief.

My mother will also use part of the space to continue offering massage therapy services to her loyal clientele. In the future, I hope to expand into retail, offering high-quality scalp care products to support our clients between treatments.

We believe this location is truly the perfect fit—it's everything we've been searching for. The rustic, industrial charm of The Mill complements our vision beautifully, and being located in the heart of New Prague, the community we love and call home, makes it all the more ideal.

We are excited about the possibility of joining this space and bringing our services to a broader audience. Thank you for considering our proposal—we hope to become a valued part of this amazing community and help others look and feel their best.”

### **Lot Size**

The New Prague Mill property is approximately 253,955 sq ft (5.83 acres) in total. The applicant is proposing to utilize only 473 sq. ft. of area, which has been vacant for many years. The tenant space will be near Faith, Recovery & Music.

### **Zoning**

This property is currently zoned I-1 Light Industrial District. However, in the Future Land Use Map of the Comprehensive Plan, the property is guided as “Downtown Flex”. Although the exact requirements for the downtown flex district have not been determined yet, retail/service establishments will likely be included. As of recent, the City is working with consultant, Bolton & Menk, to develop a Unified Development Code (UDC), which would update the Zoning Ordinance and the Subdivision Ordinance. For the time being, staff recommend allowing the Interim Use Permit (IUP) request for the spa/wellness business to occur until the UDC is complete and adopted. It's anticipated that the UDC will be complete by the end of 2025 or the beginning of 2026.

Interim Uses are listed under the I-1 Light Industrial Zoning District as: “Other temporary uses subject to Section 506 of the Zoning Ordinance determined by the City Council to be of the same general character as the permitted uses and conditional uses above and found not to be detrimental to existing uses and the general public health, safety and welfare.”

Section 302 of the Zoning Ordinance defines Interim Uses as follows:

*A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.*

### **Parking**

For retail stores and service establishments, they require 1 parking stall for every 300 square feet of floor space and outdoor sales space. The applicant will inhabit 473 sq ft.

473 sq ft / 300 sq ft = 1.57 parking stalls

**A minimum of 2 parking spaces are needed.**

The past interim use permit I1-2025 for Fancy Bones Pet Salon required a minimum of 2 parking stalls and I1-2024 for Faith, Recovery, & Music required a minimum number of 10 parking stalls. C5-2023 and V4-2023 for 2 If By Sea Tactical’s firing range required a minimum of 24 parking stalls.

The previously reviewed and approved plan of 52 striped parking stalls for the existing paved parking area was part of the approval of Conditional Use Permit #C5-2023 for the indoor firing range in another portion of the building. It was noted, however, that two additional parking spaces (above the 52 on the drawing) were provided in front of the indoor firing range area. The 2 If By Sea Tactical’s firing range, Faith, Recovery, & Music and Fancy Bones Pet Salon require a total of 36 parking stalls, leaving 16 of the spaces available for other uses. **Based on this, the proposed use would only utilize 2 of the 16 available spaces not dedicated to any other use, meaning there is ample parking available. Staff does note that the paved parking plan must follow the conditions of C5-2023.**

**The proposed parking lot must follow Section 717 of the Zoning Ordinance, detailing the standards to parking stall dimensions, setbacks, and minimum stall requirement.** The parking lot must be striped in white or yellow paint no less than 4” wide. For a 90-degree angled parking lot, the parking stalls must be 9’ wide, 20’ deep, and a minimum lot drive aisle width of 24’ (for two-way traffic).

### **Public Works /Utilities / Police / Engineering Comments**

Public Works, Utilities, Police, and Engineering were not solicited for new comments regarding this interim use permit application review.

### **Building Official Comments**

Building Official Scott Sasse stated that the required ventilation rate for a beauty shop is higher than that of the previous office use. They will need to provide some proof that they currently can provide the amount of ventilation required to accommodate a beauty shop, or add additional ventilation methods to achieve it.

## **WAC/SAC Fees**

### **2025**

The City uses the Metropolitan Council 2025 SAC manual for determining credits and charges when uses change in buildings.

The previous use of the tenant space was office space. Office space of 2,650 sq ft is equal to 1 WAC/SAC unit. For  $473 / 2,650 = 0.19$  units

Massage station 1,200 sq ft is 1 WAC/SAC unit.  $473 / 1,200 = 0.39$  units

**Difference:** 0.39 units - 0.19 units = **0.2 units**

There is credit from I1-2025 for the former locker room space of 1.43 units. The 1.43 units can be used towards this future tenant space if they should choose.

### **Interim Use Permit Criteria**

The City Council may consider an interim use permit for a use which is not specifically listed in this Ordinance as an interim use within the affected district and may grant a permit provided such interim use, after review by the Planning Commission and the City Council, is found to otherwise meet the criteria for granting an interim use permit within the affected district. The City Council shall make the following findings in order to approve an interim use:

- A. The proposed interim use will utilize property where it is not reasonable to utilize it in a manner provided for the City's Comprehensive Plan and Zoning Ordinance. (The proposed interim use for a spa/wellness center will utilize property in a reasonable manner not currently allowed by its existing zoning within the I-1 Light Industrial Zoning District, but which is guided as "downtown flex" in the 2024 Comprehensive Plan Update and of which exact requirements have not yet been determined.)
- B. The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future. (The proposed spa/wellness center is acceptable since it will likely be rezoned to "downtown flex" within the next couple of years which may include retail and service establishments as either permitted or conditional, therefore, it would no longer need the "interim" label.)
- C. The proposed use will not hinder permanent development of the site. (The proposed spa/wellness center will not hinder permanent development of the site as it is utilizing and repurposing the space within the existing building and identified to become "downtown flex" in the 2024 Comprehensive Plan after the Unified Development Code is adopted.)
- D. The proposed use will not adversely impact implementation of the Comprehensive Plan for the area. (The proposed spa/wellness center will not adversely impact implementation of the Comprehensive Plan because it identifies the property as "downtown flex" in the 2024 Comprehensive Plan.)

- E. The proposed use will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety and welfare. (The proposed spa/wellness center will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety and welfare as it is utilizing existing space in the building and will have adequate off-street parking.)
- F. The use will not create an excessive burden on existing parks, schools, streets and other public facilities which serve or are proposed to serve the area. (The proposed spa/wellness center will not create an excessive burden on existing parks, schools, street and other public facilities as it is utilizing space in an existing building.)
- G. Adequate utilities, access roads, drainage and necessary facilities have been or will be provided. (Adequate utilities, access roads, drainage and necessary facilities exist for the proposed dog grooming business.)
- H. The date or event that will terminate the use has been identified with certainty. (The proposed spa/wellness center shall cease to operate at the site on 6/2/2027 if it is not rezoned to a “downtown flex” or similar zoning district where service businesses are either a permitted or conditional use in said zoning district.)
- I. Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future. (The proposed spa/wellness center will not impose additional costs on the public if it is necessary for the public to take the property in the future.)

In permitting a new interim use, the City Council may impose, in addition to the standards and requirements expressly specified by this Ordinance, additional conditions which the City Council considers necessary to protect the best interest of the surrounding area or the community as a whole. Any City Council approval of an interim use shall be subject to the following conditions:

- A. Except as otherwise authorized by this section, an interim use shall conform to this Ordinance as if it were established as a conditional use.
- B. The date or event that will terminate the interim use shall be identified with certainty. The City Council may require the applicant to deposit a cash amount with the City, or provide some other form of security, to ensure compliance.
- C. In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.
- D. Other conditions as the City Council deems reasonable and necessary to protect the public interest and to ensure compliance with the standards of this Ordinance and policies of the Comprehensive Land Use Plan.

### **Staff Recommendation**

Staff recommends approval of Interim Use Permit #I3-2025 to allow a spa/wellness center in the I-1 Light Industrial District, located at 100 2<sup>nd</sup> Ave SW, as proposed by Emily Bomsta, with the following findings:

- A. The proposed interim use for a spa/wellness center will utilize property in a reasonable manner not currently allowed by its existing zoning within the I-1 Light Industrial Zoning District, but which is guided as “downtown flex” in the 2024 Comprehensive Plan Update and of which exact requirements have not yet been determined.
- B. The proposed spa/wellness center is acceptable since it will likely be rezoned to “downtown flex” within the next couple of years which may include retail and service establishments as either permitted or conditional, therefore, it would no longer need the “interim” label.
- C. The proposed spa/wellness center will not hinder permanent development of the site as it is utilizing and repurposing the space within the existing building and identified to become “downtown flex” in the 2024 Comprehensive Plan after the Unified Development Code is adopted.
- D. The proposed spa/wellness center will not adversely impact implementation of the Comprehensive Plan because it identifies the property as “downtown flex” in the 2024 Comprehensive Plan.
- E. The proposed spa/wellness center will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety and welfare as it is utilizing existing space in the building and will have adequate off-street parking.
- F. The proposed spa/wellness center will not create an excessive burden on existing parks, schools, street and other public facilities as it is utilizing space in an existing building.
- G. Adequate utilities, access roads, drainage and necessary facilities exist for the proposed dog grooming business.
- H. The proposed spa/wellness center shall cease to operate at the site on 6/2/2027 if it is not rezoned to a “downtown flex” or similar zoning district where service businesses are either a permitted or conditional use in said zoning district.
- I. The proposed spa/wellness center will not impose additional costs on the public if it is necessary for the public to take the property in the future.

And with the following conditions:

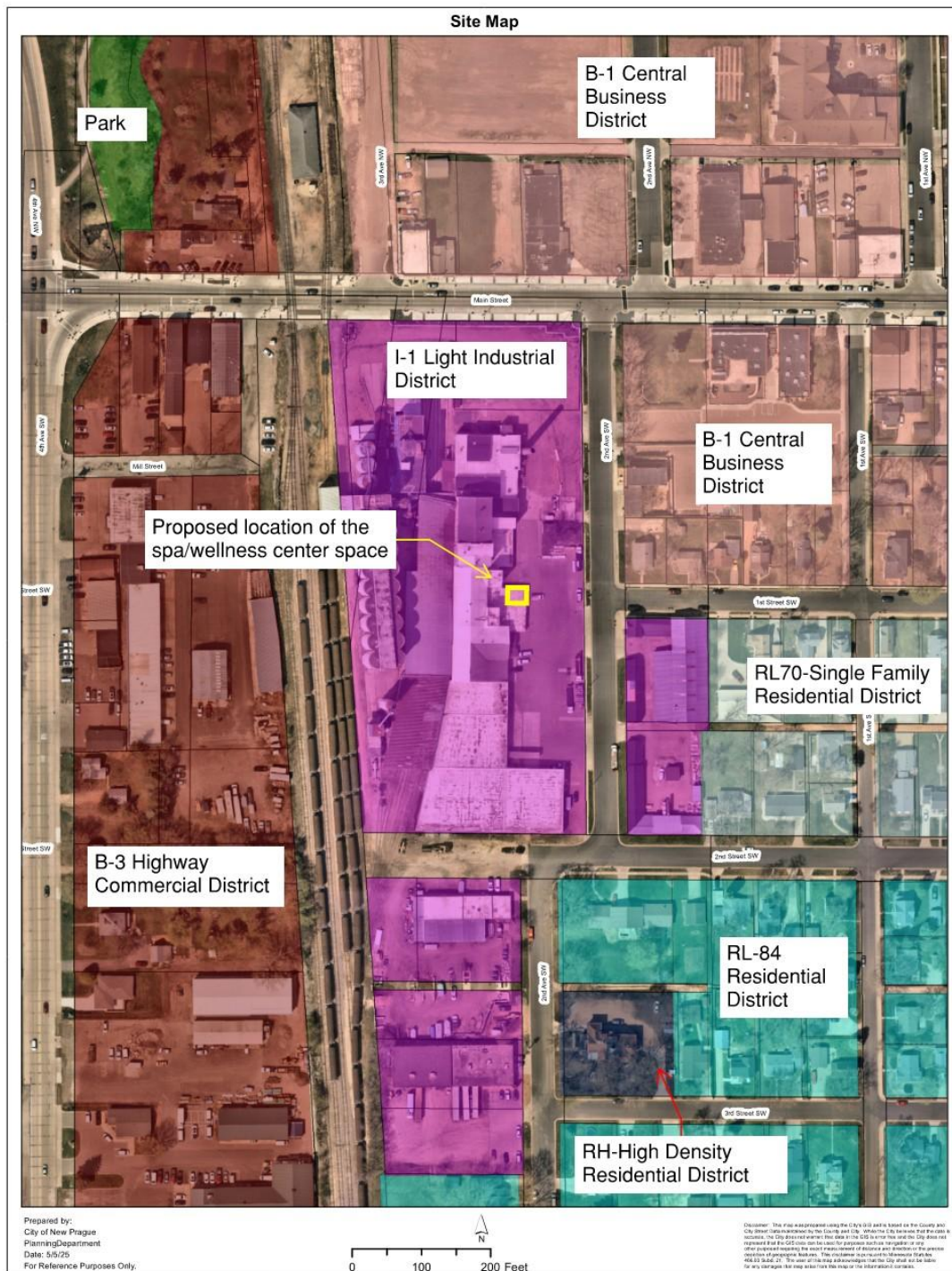
- 1. The proposed spa/wellness business shall cease to operate at the site on 6/2/2027 if it is not rezoned to a “downtown flex” or similar zoning district where service businesses, including spa/wellness are either a permitted or conditional use in said zoning district.
- 2. Except as otherwise authorized by the Zoning Ordinance, this interim use shall conform to this Ordinance as if it were established as a conditional use.
- 3. In the event of a public taking of property after the interim use is established, the property owner shall not be entitled to compensation for any increase in value attributable to the interim use.
- 4. Approval is in general accordance with the area indicated on the floor plan included in the staff report (undated) on file with the Planning Department.

5. All requirements of the Building Official must be met prior to occupancy.
6. At least 2 off-street parking spaces, including required accessible space(s), must be available for the proposed use.
7. All building and site signs must conform to Section 718 of the Zoning Ordinance which require a permit under a separate permit process.
8. All lighting must conform to Section 704 of the Zoning Ordinance.
9. 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.
10. The applicant shall reimburse the city for all fees and costs it incurs for processing, reviewing, and acting on the application approved herein, including but necessarily limited to any fees charged by the city's professional consultants in accordance with established rates.
11. The property shall be subject to all requirements of the New Prague City Code and shall otherwise comply with all other applicable federal, state, and local laws, rules, and regulations.

#### **Attachments**

1. Zoning – 5/5/25
2. Tenant Space in the Mill – 5/5/2025 and Undated
3. Parking Lot Plan – Dated 7/1/24
4. Future Land Use Map – Undated
5. Google Street View – Dated August 2023
6. Pictures – Dated 5/8/25



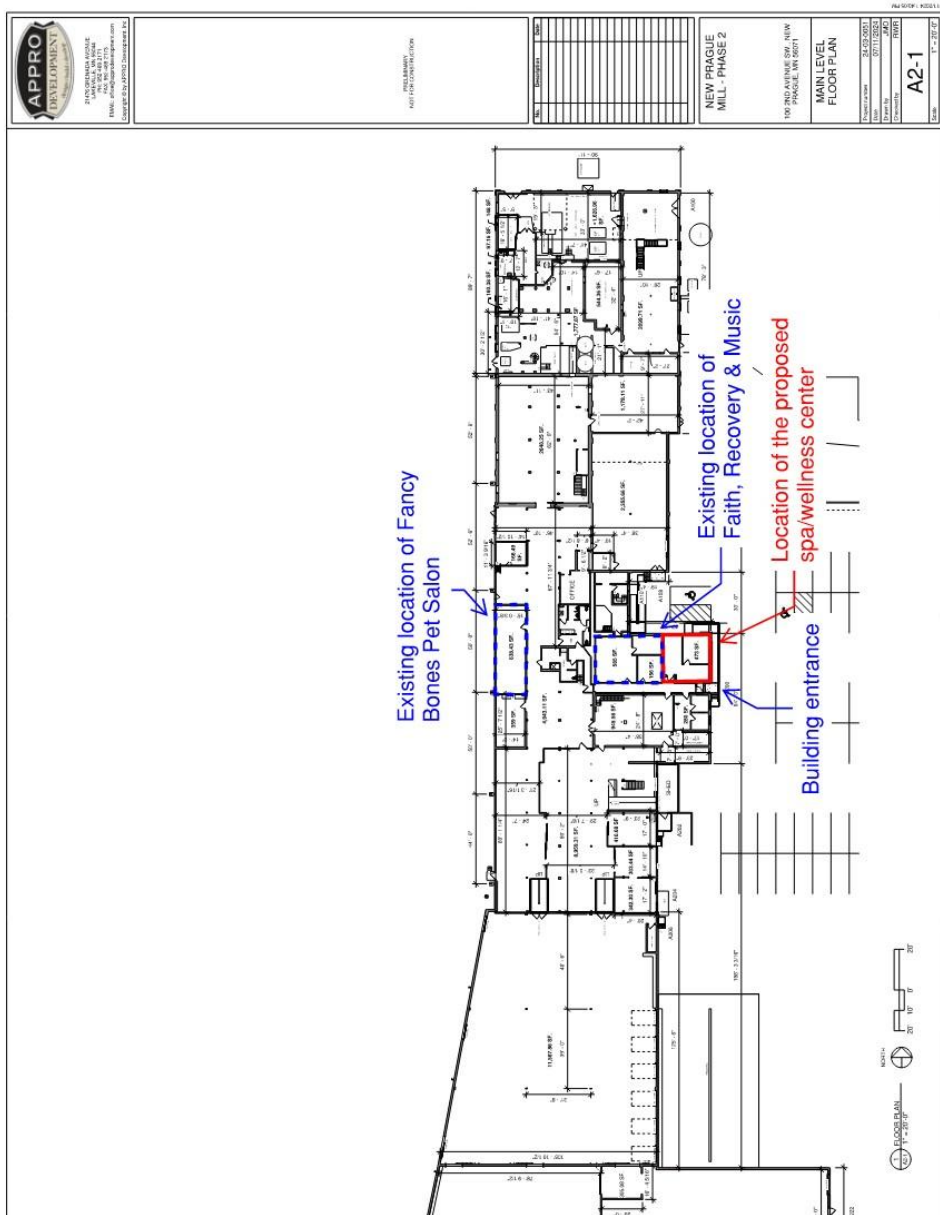


### Zoning Districts of Subject and Neighboring Properties



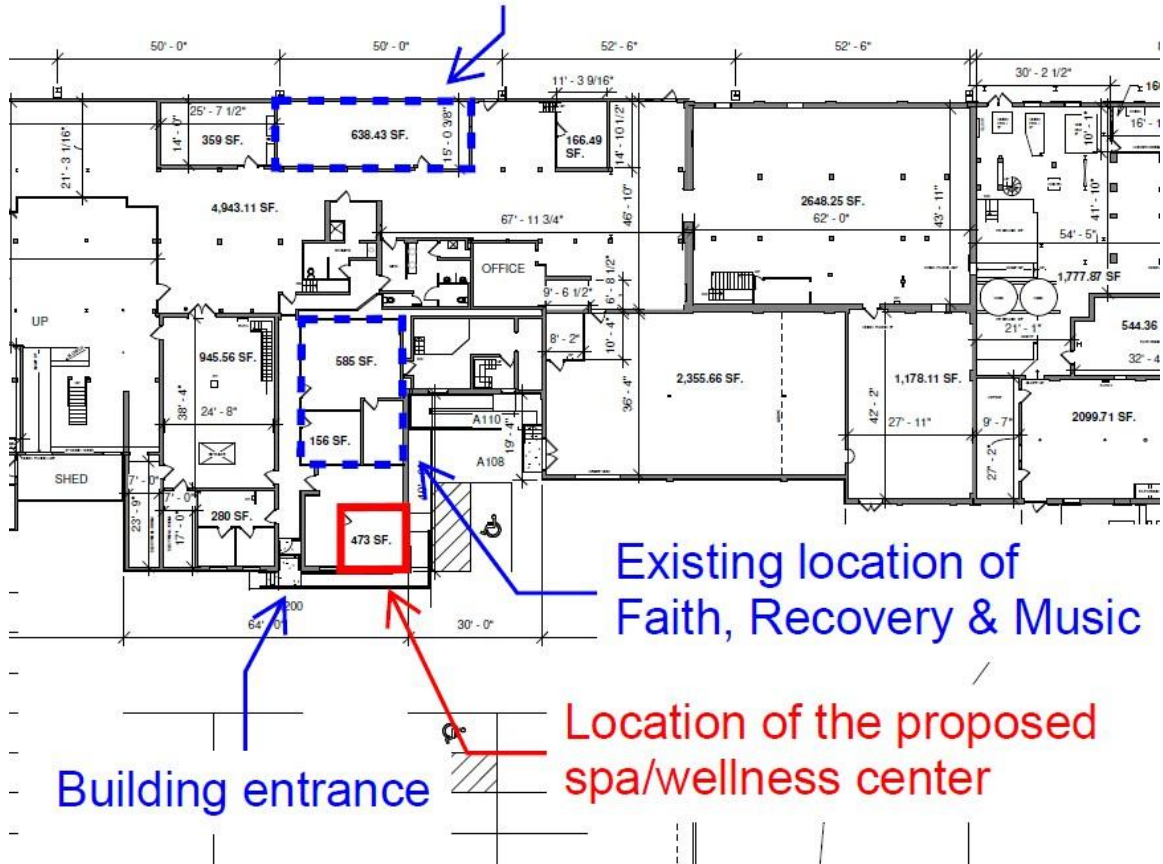
Location of the Proposed Tenant Space in the Mill (Looking North)



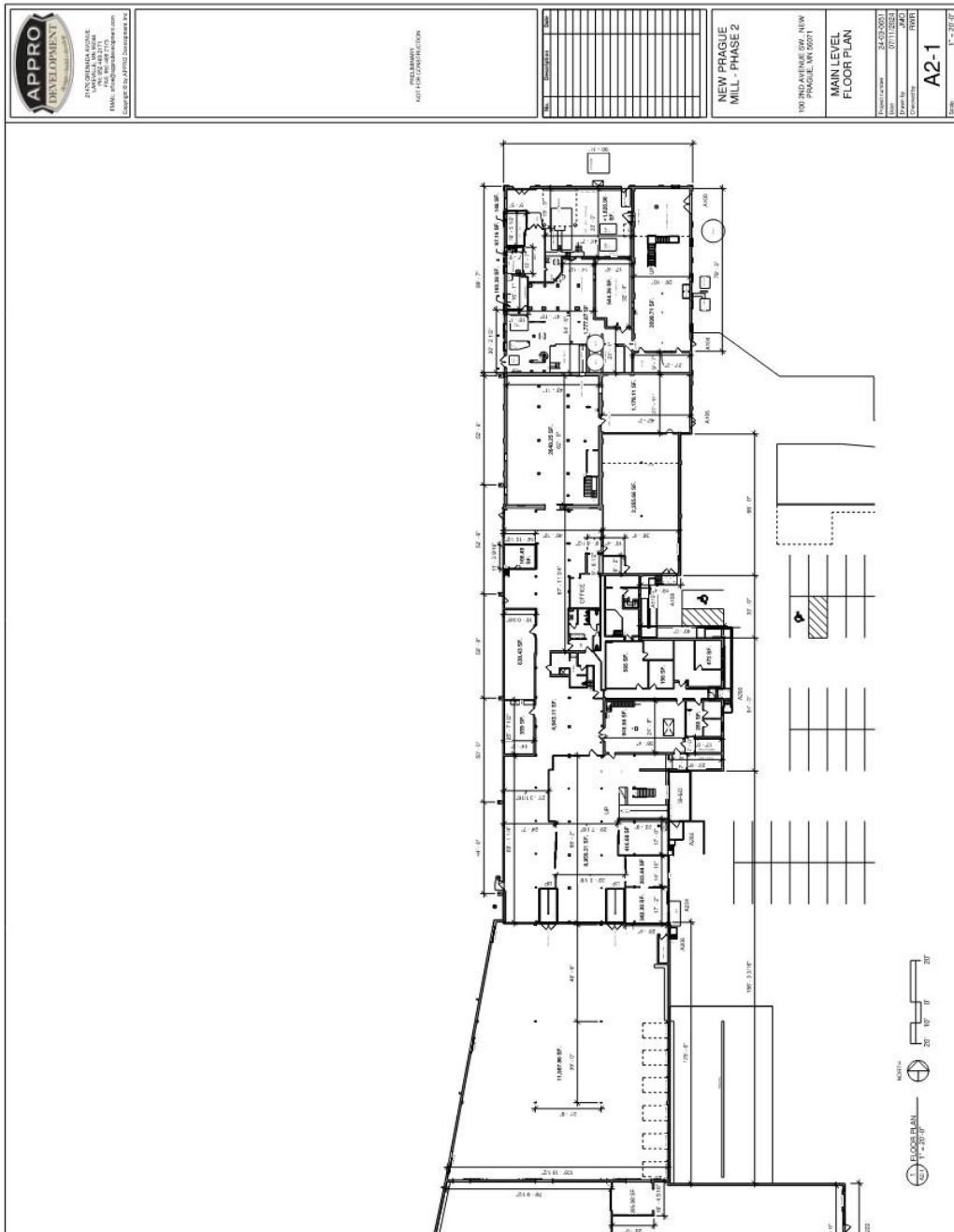


Location of the Proposed Tenant Space in the Mill (Looking North)

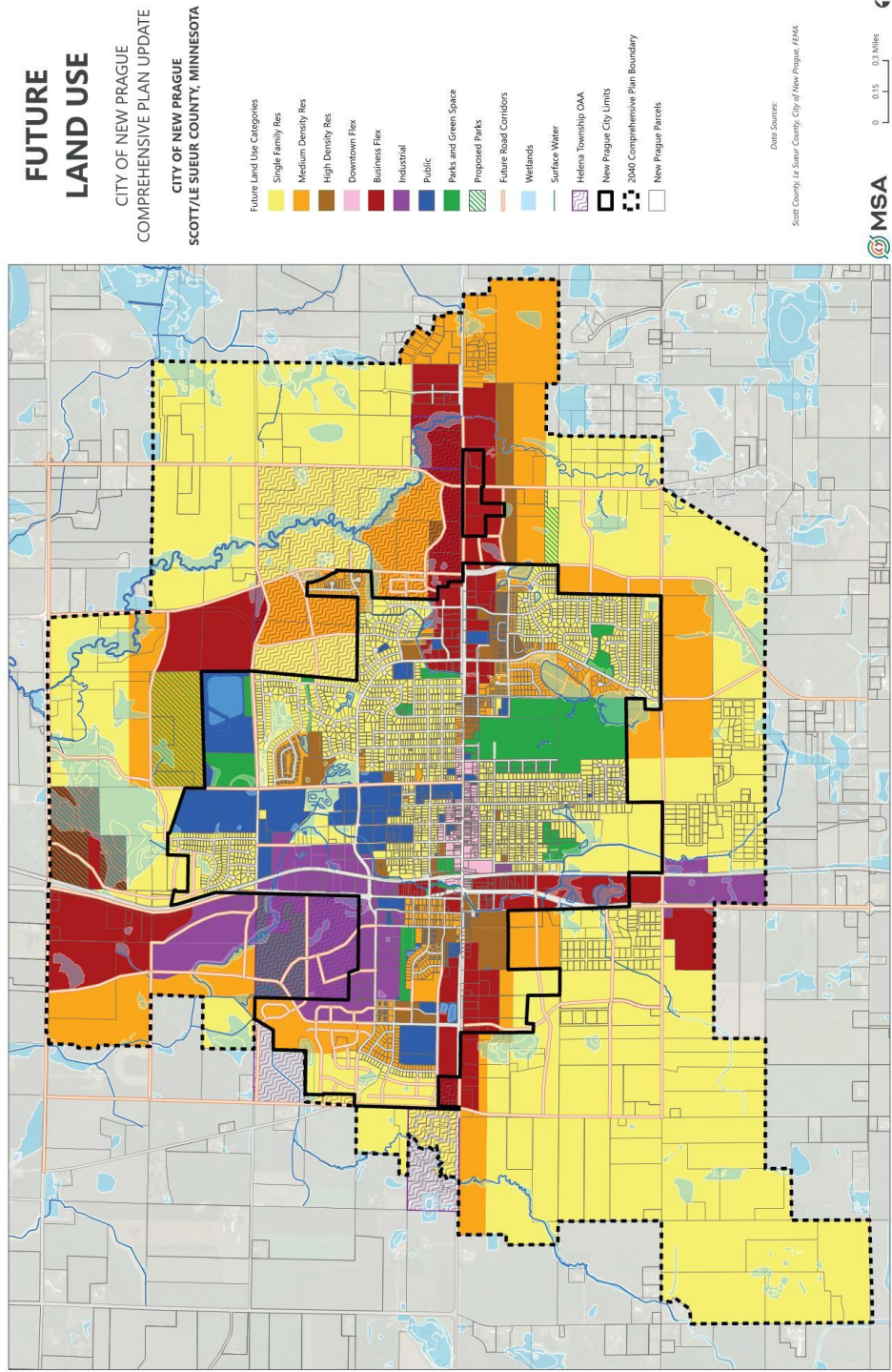
Existing location of Fancy  
Bones Pet Salon



Zoomed In Location of the Proposed Tenant Space

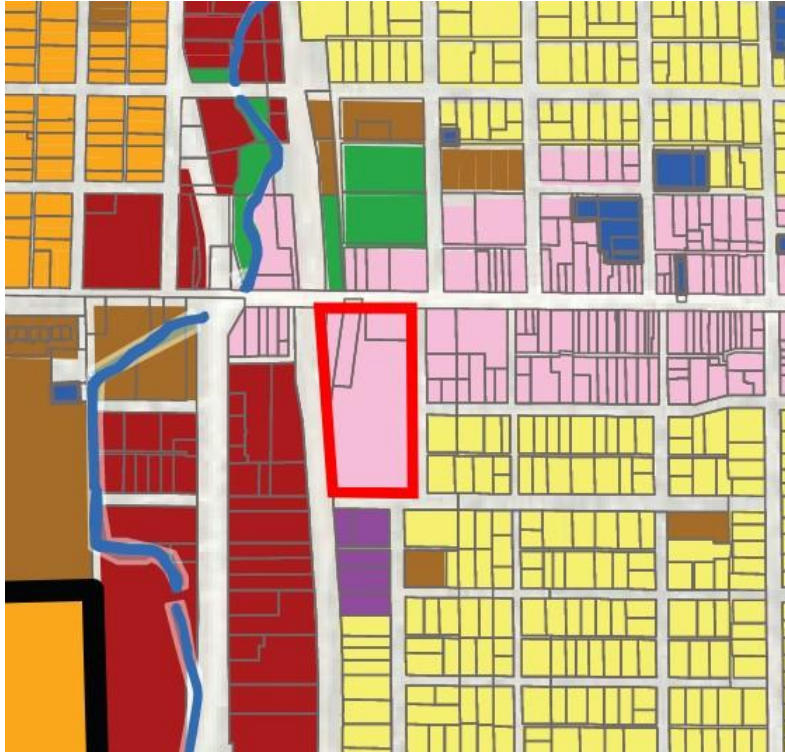


Existing Parking Lot Plan and Spaces Within the Building



Future Land Use Map





Zoomed In Image of the Future Land Use Map (Pink Color – Downtown Flex)



Google Street View from August 2023 Looking at Office Entrance



Proposed Tenant Space









Exterior of the Building from 2<sup>nd</sup> Ave SW

