

Meeting Minutes
New Prague Planning Commission
Wednesday, January 24, 2024

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Vice Chair Brandon Pike with the following members present Jason Bentson and Ann Gengel. Absent were Shawn Ryan and Dan Meyer.

City Staff Present: Ken Ondich – Planning / Community Development Director, and Kyra Chapman – Planner

2. Approval of Meeting Minutes

A. November 15th, 2023 Regular Meeting

A motion was made by Bentson seconded by Gengel to approve the November 15th regular meeting minutes. Motion carried (3-0).

3. OLD BUSINESS

A. None.

4. NEW BUSINESS

A. Planning Commissioner Training

Planning Director Ondich stated that in previous years the League of Minnesota Cities offered 3–4-hour trainings for Planning Commissioners. The League of Minnesota Cities no longer offers this program. As a substitute, staff will briefly go over the open meeting law, 60 day rule, conditional use permits, and variances. Under state statute, the City may adopt comprehensive plans, approve variances, and zone property. The Planning Commission is advisory to the City Council. New Prague’s Planning Commission is unique in that it does not act as the City’s Board of Appeals and Adjustments. The reason for this is that the City Council historically wanted more authority in situations where land use decisions were appealed. In other words, the Planning Commission only makes recommendations to the City Council.

Planning Director Ondich explained that the Planning Commission must make decisions from the Comprehensive Plan, state statutes, zoning, and subdivision ordinances. As a general rule, a land use decision by the City will be upheld by a court if it is found to be reasonable under the circumstances. Courts give greater discretion to the City on Comprehensive Plans and zoning. Courts give less deference to the City when it comes to conditional and interim use permits, variances, site plans, and plats.

Planning Director Ondich mentioned that during the Planning Commission meetings, a common argument made by applicants are “if you make this decision, you will be setting a ‘precedent’.” Planning Commission always looks at each case by its own merits. The 60-day rule requires cities to review zoning applications (variances, CUPs, site plans) within 60 days. If the City does not approve or deny the application by that time, the application is automatically approved. The City may extend the deadline up to a maximum of an additional 60 days without applicant approval. If the City denies the application, there must be clearly written reasons. If the application is incomplete, staff must inform the applicant within 15 days of receiving the application.

Pike inquired if the 60 Day Rule is a law or a rule.

Planning Director Ondich replied that it is a state law.

Planning Director Ondich stated that staff will try to offer these refreshers and make an updated PowerPoint next year so that it can be presented yearly. These refreshers will likely occur in June when new Planning Commissioners take office.

Planning Director Ondich discussed the open meeting law. The Planning Commission meetings are open to the public. If a meeting occurs when a quorum, or more, meets to discuss Planning Commission topics, even if a decision is not made. E-mail conversations can also be considered meetings if there is a quorum, therefore, violating the open meeting law. Consequences of violation include loss of office, monetary, penalties, and possible attorney fees.

B. Comprehensive Plan Update – Review Future Land Use Map and Mobility Map

Planning Director Ondich explained that some changes have been made to the Future Land Use Map. More medium density residential and high-density residential areas have been added to the map. This will provide more multi-family housing options. As of right now, New Prague has two available vacant lots zoned high-density residential. One is near Raven Stream Elementary School and another is south of Walgreens. As it is currently written in New Prague’s zoning ordinance, single family homes may be built in medium density residential district. As a result, many developers have constructed single family homes in this district, providing less opportunities or spaces for medium density housing. Staff have heard from businesses and the school district that we need a wider variety of housing options. There hasn’t been a market rate apartment constructed in New Prague since the 1990s.

Planning Director Ondich also noted on the Future Land Use map that on the west side of town, there is an area zoned as commercial land. In 2004, it was believed that the west side of town would become the new commercial district. However, the west side doesn’t have nearly as much traffic as the east side. The map also includes possible industrial land near the proposed athletic complex. Adjacent land to the City’s existing industrial land is owned

largely by one owner. Creating a new potential industrial district would reduce the owner's selling power.

Planning Director Ondich displayed the Mobility Map and explained that sidewalks will be added along 2nd St NE, Pershing Ave N, and Lexington. The City will install a sidewalk on one side of these streets during reconstruction projects. The City has largely been adding sidewalks east of Columbus Ave. Most of the sidewalk development projects are complete as related to road reconstruction projects.

Gengel asked how the Steering Committee meetings are coming along.

Pike responded that it's difficult to schedule meetings but once people are together, everyone is very communicative. There are a lot of diverse voices during these meetings since representatives from the Council, Park Board, EDA, and School District are present.

Gengel inquired on how the EDA is involved with the Steering Committee.

Pike explained that topics with the EDA eventually come back to land use such as employment and housing. The EDA wants a diverse and healthy economy.

Planning Director Ondich elaborated that many employees of local businesses cannot afford to live in New Prague. That's where housing options come into play.

Planning Director Ondich stated that the City Council approved the MSA to conduct the small area plan of City Center. It will likely take approximately 3-5 months to complete and will require board representatives to sit on a Steering Committee. The small area plan will connect to the Comprehensive Plan and consider the POPS facility. The small area plan will determine if the whole area will be redeveloped, become a park, or include multi-housing.

5. Miscellaneous

A. Monthly Business Updates (December and January)

Planning Director Ondich introduced the monthly business updates for December and January. The City Council approved 2 If By Sea Tactical's shooting range conditional use permit. A new commercial office building is being constructed at 1305 1st Street NE. The Mayo Clinic Health System just announced a \$9 million investment in oncology/infusion services. At the end of 2023, 330 reroofing and residing permits were issued.

Bentson inquired about the progress of the Rusty Spoke.

Planning Director Ondich stated that almost all the interior alterations are complete. The owner may likely apply for a liquor license soon.

6. Adjournment

A motion was made by Pike, seconded by Gengel, to adjourn the meeting at 7:24 pm. Motion carried (3-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kyra J. Chapman". The signature is written in a cursive style with a large initial "K" and "C".

Kyra J. Chapman
Planner