



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: KEN ONDICH, PLANNING / COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PLANNING COMMISSION SUMMARY AND CITY COUNCIL UPDATE-
REQUEST FOR VARIANCE #V9-2024 TO ALLOW A 180 SQUARE FOOT
FREESTANDING SIGN AT 100 2ND AVE SW IN THE I1-LIGHT
INDUSTRIAL DISTRICT, AS PROPOSED BY THE NEW PRAGUE MILL,
LLC
DATE: DECEMBER 11, 2024

Since the initial discussion with the City Council on this matter at the December 2nd City Council meeting, the applicant has submitted the two attached revisions to the sign for consideration by the City Council. As the Council will recall, it was requested that the sign be “beautified”.

Attached Revision #1 shows a brick base added to the sign that was presented originally.

Attached Revision #2 shows a revised design with a more traditional monument sign design.

Staff would recommend approval of Sign Revision #2 but with a brick base.

Staff Recommendation

Staff recommends approval of the attached resolution “...Approving Variance (#V9-2024)...”.



Sign Revision #1



Sign Revision #2

RESOLUTION #24-12-16-__

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL APPROVING
VARIANCE (#V9-2024) TO ALLOW A 180 SQUARE FOOT FREESTANDING SIGN AT 100
2ND AVE SW IN THE I1-LIGHT INDUSTRIAL DISTRICT, AS PROPOSED BY THE NEW
PRAGUE MILL, LLC, NEW PRAGUE, MINNESOTA**

WHEREAS, New Prague Mill, LLC, owner of the following real estate in the County of Le Sueur to wit:

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.

are requesting a variance to allow a 180 sq ft sign on the northeast corner of their property in the I1-Light Industrial District at 100 2nd Ave SW, which is located on the above-described real estate; and

WHEREAS, the New Prague Planning Commission has completed a review of the application and made a report pertaining to said request (#V9-2024), a copy of said report has been presented to the City Council; and,

WHEREAS, the New Prague Planning Commission on the 20th day of November, 2024, after due consideration of presented testimony and information, voted unanimously (3-0) to forward staff's recommendation to the City Council with a recommendation for approval; and,

WHEREAS, the New Prague City Council finds:

- A. The variance to allow freestanding signage to exceed 100 sq. ft. is in harmony with the general purposes and intent of the Zoning Ordinance because freestanding and electronic variable message sign are a permitted use in the I1-Light Industrial Zoning District.
- B. The proposed variance to allow freestanding signage is in harmony with the general purposes and intent of the Comprehensive Plan because freestanding signage is a permitted use in the I1-Light Industrial Zoning District.
- C. The applicant proposes to use the property in a reasonable manner by adding an additional 80 sq. ft. of freestanding signage over the typical ordinance allowed limit on a very large 5.83 acre site.
- D. Unique circumstances apply to this property over which the applicant had no control, and which do not generally apply to other properties nearby because the property very large (5.83 acres), therefore the bigger sign would help accommodate the large building size and the property is currently zoned as industrial rather than commercially zoned, which would better fit their current use.
- E. The variance does not alter the essential character of the neighborhood because freestanding signs are a permitted use in the I1 Light Industrial Zoning District as well as the B1 Central Business and B3 Highway Commercial Districts, which abut the property.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would adequately display the tenants that reside within the building and advertise community events so that it is legible for those who are walking or driving by.

NOW, THEREFORE BE IT RESOLVED, by the City Council of New Prague, Minnesota, that the request for variance #V9-2024 to allow a 180 sq ft sign in the I1-Light Industrial District at 100 2nd Ave SW, is hereby approved based on the above findings and the following conditions:

- 1. The electronic variable message sign cannot change more than once per ten (10) seconds.
- 2. The sign must be located outside the landscaping easement in the northeast corner.
- 3. The placement of the sign is allowed as shown on a site plan with the specific date and based on the design labeled "Sign Revision #2" with a brick base.

This Variance approval becomes effective immediately upon its passage and without publication.

Passed this 2nd day of December, 2024.

Duane J. Jirik, Mayor

State of Minnesota)
)ss.
County of Scott & Le Sueur)

(CORPORATE ACKNOWLEDGMENT)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2024.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2024.

Notary Public

THIS INSTRUMENT DRAFTED BY:
Kyra J. Chapman
City of New Prague
118 Central Ave. N.
New Prague, MN 56071
(952) 758-4401



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL
CC: JOSHUA M. TETZLAFF, CITY ADMINISTRATOR
FROM: KYRA CHAPMAN, PLANNER
SUBJECT: PLANNING COMMISSION SUMMARY - REQUEST FOR VARIANCE #V9-2024 TO ALLOW A 180 SQUARE FOOT FREESTANDING SIGN AT 100 2ND AVE SW IN THE I1-LIGHT INDUSTRIAL DISTRICT, AS PROPOSED BY THE NEW PRAGUE MILL, LLC
DATE: NOVEMBER 25, 2024

Planning Commission Summary

The Planning Commission heard the above variance request on November 20th, 2024. The New Prague Mill, LLC is currently requesting to install a 180 sq ft sign near the northeastern corner of the old mill property at 100 2nd Ave SW. The sign would be 30' tall and consist of tenant name slots (10' x 8'), an electronic sign (6' x 13'), and a sign header (22 sq ft). In the Zoning Ordinance within the I1-Light Industrial District, electronic variable message signs are permitted as long as they do not change more than once per 5 seconds. Furthermore, the ordinance also allows the district to have signage that is a maximum of 30' tall as long as it is 10' away from property lines and outside of easements, and the sign face cannot exceed 100 sq ft. In other words, the applicant is requesting to exceed the 100 sq ft maximum by an additional 80 sq ft.

While a public hearing is not required for variances, the Planning Commission did open a public hearing for comment. Comments were received from New Prague Mill, LLC applicants, Rick Kaun and Bill Gibson. Mr. Kaun explained that the sign would be facing east and west along Main Street so that the POPS site would not be looking directly at it. The mill is one of the lowest points on Main Street and want to maximize the height of the sign for visibility purposes. Mr. Gibson stated that they want to attract more tenants and customers to the site with the sign.

The Planning Commission recommended approval of the variance request with a unanimous vote (3-0) based on the findings listed in the attached resolution.

Staff Recommendation

Staff recommends approval of the attached resolution "...Approving Variance (#V9-2024)...".



118 Central Avenue North, New Prague, MN 56071
phone: 952-758-4401 fax: 952-758-1149

MEMORANDUM

TO: PLANNING COMMISSION
FROM: KYRA CHAPMAN – PLANNER
SUBJECT: REQUEST FOR VARIANCE #V9-2024 TO ALLOW A 180 SQUARE FOOT FREESTANDING SIGN AT 100 2ND AVE SW IN THE I1-LIGHT INDUSTRIAL DISTRICT, AS PROPOSED BY THE NEW PRAGUE MILL, LLC
DATE: NOVEMBER 7, 2024

Background / History

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 intend to re-purpose the property for multiple tenant uses. Today the building is occupied, in part, by Faith, Recovery & Music, and 2 If By Sea Tactical Firing Range. In September 2024, interim use permit I2-2024 was approved to allow exterior storage of vehicles and recreational equipment under the covered canopy until 10/7/2027.

The applicant, which is the owner of the site in total, intends to install a 30' tall freestanding sign that has a maximum surface area of 180 sq ft. The proposed sign would be installed on the northeastern corner of the property (south of the existing flagpole) near the intersection of Main St W and 2nd Ave SW facing east and west. The freestanding sign would consist of tenant name slots, electronic variable message sign, and header sign.

New Prague Mill, LLC is requesting a sign size variance to allow the installation of a 180 sq ft freestanding sign. In the I-1Light Industrial District, freestanding or monument signs cannot exceed a surface area of 100 sq ft. The applicant is requesting the variance because the sign would accommodate the large size of the site, which is 5.83 acres large, and it would more adequately display the multiple tenants that reside in the building. Additionally, if the site was located in any of the business districts (B1, B2, or B3 District) the subject building would be allowed a sign with a maximum surface of 200 sq ft.

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.

Zoning

The subject property is located in the I1-Light Industrial Zoning District. In the recently adopted Comprehensive Plan, the subject property will be identified as Business Flex. However, staff will be working with Bolton & Menk for the next year to develop a unified development code for the Zoning Ordinance and Subdivision Ordinance. The existing Zoning Ordinance will be utilized until the new Zoning and Subdivision Ordinance are adopted.

The applicant is requesting a 30' tall freestanding sign that is approximately 180 sq ft in size. The sign would consist of an electronic variable sign with tenant name slots. The electronic board would display important community events such as school sports games or boy scout activities.

According to section 718 (4) of the Zoning Ordinance regarding signage in the I1-Light Industrial District, it states:

- A. One (1) freestanding or monument sign per lot for single street frontage lots. In cases where lots have more than one street frontage, such lot shall be allowed up to two freestanding or monument signs which must each be placed on different frontages. The total square footage of all freestanding or monument signs on a lot shall not exceed the sum of one square foot for each front foot of lot, or 100 square feet, per surface, whichever is smaller. Freestanding or monument signs shall be set back 10 feet from any property line. Maximum height is 30 feet from average grade.
- B. No building sign shall extend in height more than six feet above the highest outside wall or parapet of any principal building. Building signs can only be placed on the principal building. Sign area is limited to 15 percent of the building face.
- C. Billboard signs are allowed only as the principal use of a lot. Billboards shall not exceed 480 square feet of sign per surface with a maximum of two sides. Setbacks shall comply with applicable district regulations for principal structures. Billboards shall maintain a spacing of not less than 500 feet between billboards.
- D. Electronic variable message signs and readerboard signs are permitted as part of the allowed signage.
- E. Signs may be illuminated but must meet the glare standards listed in this Ordinance.

In the I1-Light Industrial District, electronic variables message signs and reader board signs are permitted as long as the picture on the sign does not change more than one per five seconds. Furthermore, the ordinance allows a monument or freestanding sign in the I1 District to be setback a minimum of 10' from any property lines and outside any easements and cannot exceed 100 sq ft and be no taller than 30' in height.

The Zoning Ordinance states that signage is calculated only by the square footage of the text or design rather than white space. At this time, there is no clear plan for the text/design, but the electronic sign will be 6' x 13', the tenant name slots would be 10' x 8', and the sign header will be approximately 22 sq ft. In total this would be 180 sq ft sign. However, it should be noted that since no text/design plan has been submitted, the sign calculation may actually be less than 180 sq ft.

If the existing property were in the B1, B2, or B3 Districts, the sign could be a maximum of 200 sq ft. Section 718 (3)(B)(1) states that properties in the Business District that have a floor area greater than 50,000 sq ft but less than 100,000 sq ft, may have a freestanding or monument sign with a maximum surface area of 200 sq ft. The main floor of the subject building is 59,484 sq ft. In the Comprehensive Plan, the subject property is designated as 'Business Flex', and the site is currently utilized for mainly commercial purposes rather than industrial.

Neighborhood Conditions and Nearby Land Uses

North – Central Business District / Main Street and underutilized portions of the former mill building which are also zoned I-1 Light Industrial

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.

The former mill property is unique in that there are several different zoning districts surrounding the site, which are a mix of commercial and residential properties. The Mill is currently occupied by Faith, Recovery & Music and the future 2 If By Sea Tactical indoor firing range. The site will also consist of exterior storage of vehicles and recreational equipment under the existing covered canopy. Other tenants will also be occupying the site in the future.

Statement of Practical Difficulties

An email dated on November 5th, 2024, by applicant representative Rick Kaun, provided the following practical difficulty:

There are many reasons to justify the need of the variance of the sign size.

We wish to limit the amount of signage on the buildings themselves, to preserve the ascetic and historical nature that they have.

We would like to increase city involvement and interaction by promoting local events, such as high school sports, Dozinski, historical society events, art council, chamber of commerce etc. (We have gotten positive feedback from Den at the art council and Tracy from the Chamber)

The size is important for the sighting to the property, being over 10ft lower than downtown. It would be nice to see the sign before it surprises you.

It is an important identification for our tenants

The size of the sign is minimal compared to the size of the buildings (one of the largest on Main Street).

One of our long term goals is to be a destination landmark for New Prague with both service and retail businesses.

Public Works / Utilities / Engineer Comments

Utilities General Manager Bruce Reimers noted that the applicant should be careful when placing the sign footings because there are two large-buried power cables in that location that feed their facilities.

City Engineer Chris Knutson with SEH, Inc. stated that although he has no concerns with the size of the sign, he wants to ensure that the sign lighting or messaging will not cause a nuisance for users on Main Street/TH19. The sign supplies will need to provide information regarding brightness, overall lighting, message changes, etc. **It will need to follow Sec. 173.155 MN Statutes regarding changeable electronic variable message signs.** The sign may not fit within the character of the downtown, but it is also a larger facility than others. It would be beneficial to have a site plan showing the orientation and location of the sign.

Public Works Director Matt Rynda believed that the sign will be very big and hopes it does not become an eyesore on Main Street. Police Chief Tim Applen is concerned about the aesthetics of the sign as it might be unsightly with a large glowing sign across from POPS especially since the entire sign is almost double the square footage allowed.

Building Official Comments

Building Official Scott Sasse stated that the city will need plans of footings that are stamped and signed by an engineer.

MnDOT Comments

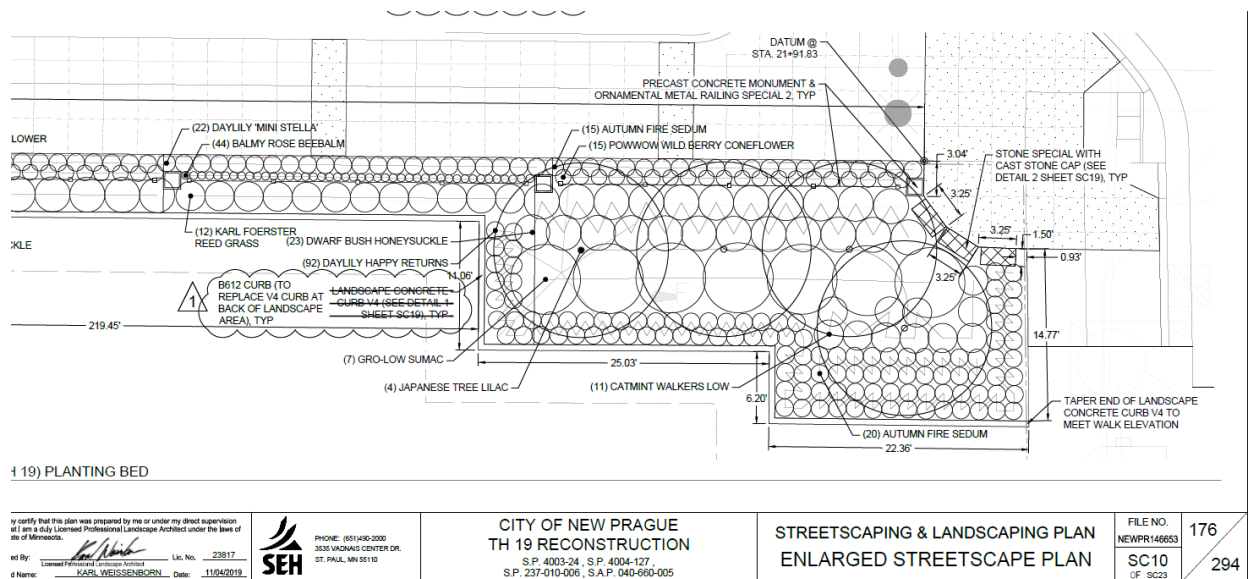
MnDOT District 7 East, Steve Schoeb, informed the City that the signage will need to be built outside of the MnDOT right-of-way. It was recommended that a certified surveyor must locate the property pins to make sure the sign is constructed on the applicant's property. The electronic variable message sign cannot be scrolling or resemble emergency flashing lights.

Planning Staff Comments

Planning staff are in agreement that the size of the large 180 sq ft sign would accommodate the large size of the 5.83 acre site and size of the building, which would help identify the multiple tenants that would reside at the site. However, staff have concerns regarding the aesthetics of the electronic variable message sign along Main Street. Although electronic variable message signs are permitted use in the I1-Light Industrial District, it is prohibited in the B1-Central Business District, which are most adjacent properties north and east of the subject site. Additionally, the Comprehensive Plan has identified the subject site as Business Flex, which will result in new standards for the district.

In the existing Zoning Ordinance, electronic variable message signs may not change once per 5 seconds. As a way to mitigate aesthetic concerns, staff recommends adding a condition in which the electronic variable message sign cannot change more than once per 10 seconds.

Staff would like to note that there is a landscaping easement in the northeast corner of the site. The sign cannot be located within the easement area. The below picture is the landscaping easement identified in the TH 19 Reconstruction Project.



Criteria for Granting Variances - Section 507

The Zoning Ordinance defines a variance as follows: A modification or variation of the provisions of this Ordinance where it is determined that by reason of unique circumstances relating to a specific lot, that strict application of the Ordinance would cause practical difficulties. Practical

difficulties is a legal standard set forth in law that cities must apply when considering applications for variances. To constitute practical difficulties, all three factors of the test must be satisfied, which are reasonableness, uniqueness and essential character. The Zoning Ordinance's criteria addresses these standards.

The Zoning Ordinance identifies criteria for granting variances as noted below. These items must be evaluated by the Planning Commission and City Council when considering variance requests. It is important to note that variances should only be granted in situations of practical difficulties. A variance may be granted only in the event that all of the circumstances below exist. Staff has attempted to evaluate the established criteria for this specific request. Staff's comments are highlighted in yellow below:

- A. The variance is in harmony with the general purposes and intent of this Ordinance. (The variance to allow freestanding signage to exceed 100 sq. ft. is in harmony with the general purposes and intent of the Zoning Ordinance because freestanding and electronic variable message sign are a permitted use in the I1-Light Industrial Zoning District.)
- B. The variance is consistent with the comprehensive plan. (The proposed variance to allow freestanding signage is in harmony with the general purposes and intent of the Comprehensive Plan because freestanding signage is a permitted use in the I1-Light Industrial Zoning District.)
- C. The applicant proposes to use the property in a reasonable manner not permitted by this Ordinance, the City Code or the City Subdivision Ordinance. (The applicant proposes to use the property in a reasonable manner by adding an additional 80 sq. ft. of freestanding signage over the typical ordinance allowed limit on a very large 5.83 acre site.)
- D. Unique circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity and result from lot size or shape, topography or other circumstances over which the owner of the property since enactment of this Ordinance has had no control. The unique circumstances do not result from the actions of the applicant. (Unique circumstances apply to this property over which the applicant had no control, and which do not generally apply to other properties nearby because the property very large (5.83 acres), therefore the bigger sign would help accommodate the large building size and the property is currently zoned as industrial rather than commercially zoned, which would better fit their current use.)
- E. The variance does not alter the essential character of the neighborhood. (The variance does not alter the essential character of the neighborhood because freestanding signs are a permitted use in the I1 Light Industrial Zoning District as well as the B1 Central Business and B3 Highway Commercial Districts, which abut the property.)

- F. That the variance requested is the minimum variance which would alleviate the practical difficulties. Economic conditions alone do not constitute practical difficulties. (The variance requested is the minimum variance which would alleviate the practical difficulties because it would adequately display the tenants that reside within the building and advertise community events so that it is legible for those who are walking or driving by.)
- G. The Board of Adjustment may impose such conditions upon the premises benefited by a variance as may be necessary to comply with the standards established by this Ordinance, or to reduce or minimize the effect of such variance upon other properties in the neighborhood, and to better carry out the intent of the variance. The condition must be directly related to and must bear a rough proportionality to the impact created by the variance. No variance shall permit a lower degree of flood protection than the Regulatory Flood Protection Elevation for the particular area or permit standards lower than those required by federal, state or local law. (The electronic variable message sign cannot change more than once per ten (10) seconds. The sign must be located outside the landscaping easement in the northeast corner. The placement of the sign is allowed as shown on a site plan with the specific date.)

Staff Recommendation

Staff recommends **approval** of Variance #V9-2024 to allow a variance for a 180 sq ft freestanding sign rather than the standard 100 sq ft sign at 100 2nd Ave SW, as proposed by New Prague Mill, LLC for the following reasons:

- A. The variance to allow freestanding signage to exceed 100 sq. ft. is in harmony with the general purposes and intent of the Zoning Ordinance because freestanding and electronic variable message sign are a permitted use in the I1-Light Industrial Zoning District.
- B. The proposed variance to allow freestanding signage is in harmony with the general purposes and intent of the Comprehensive Plan because freestanding signage is a permitted use in the I1-Light Industrial Zoning District.
- C. The applicant proposes to use the property in a reasonable manner by adding an additional 80 sq. ft. of freestanding signage over the typical ordinance allowed limit on a very large 5.83 acre site.
- D. Unique circumstances apply to this property over which the applicant had no control, and which do not generally apply to other properties nearby because the property very large (5.83 acres), therefore the bigger sign would help accommodate the large building size and the property is currently zoned as industrial rather than commercially zoned, which would better fit their current use.

- E. The variance does not alter the essential character of the neighborhood because freestanding signs are a permitted use in the I1 Light Industrial Zoning District as well as the B1 Central Business and B3 Highway Commercial Districts, which abut the property.
- F. The variance requested is the minimum variance which would alleviate the practical difficulties because it would adequately display the tenants that reside within the building and advertise community events so that it is legible for those who are walking or driving by.

And with the following conditions:

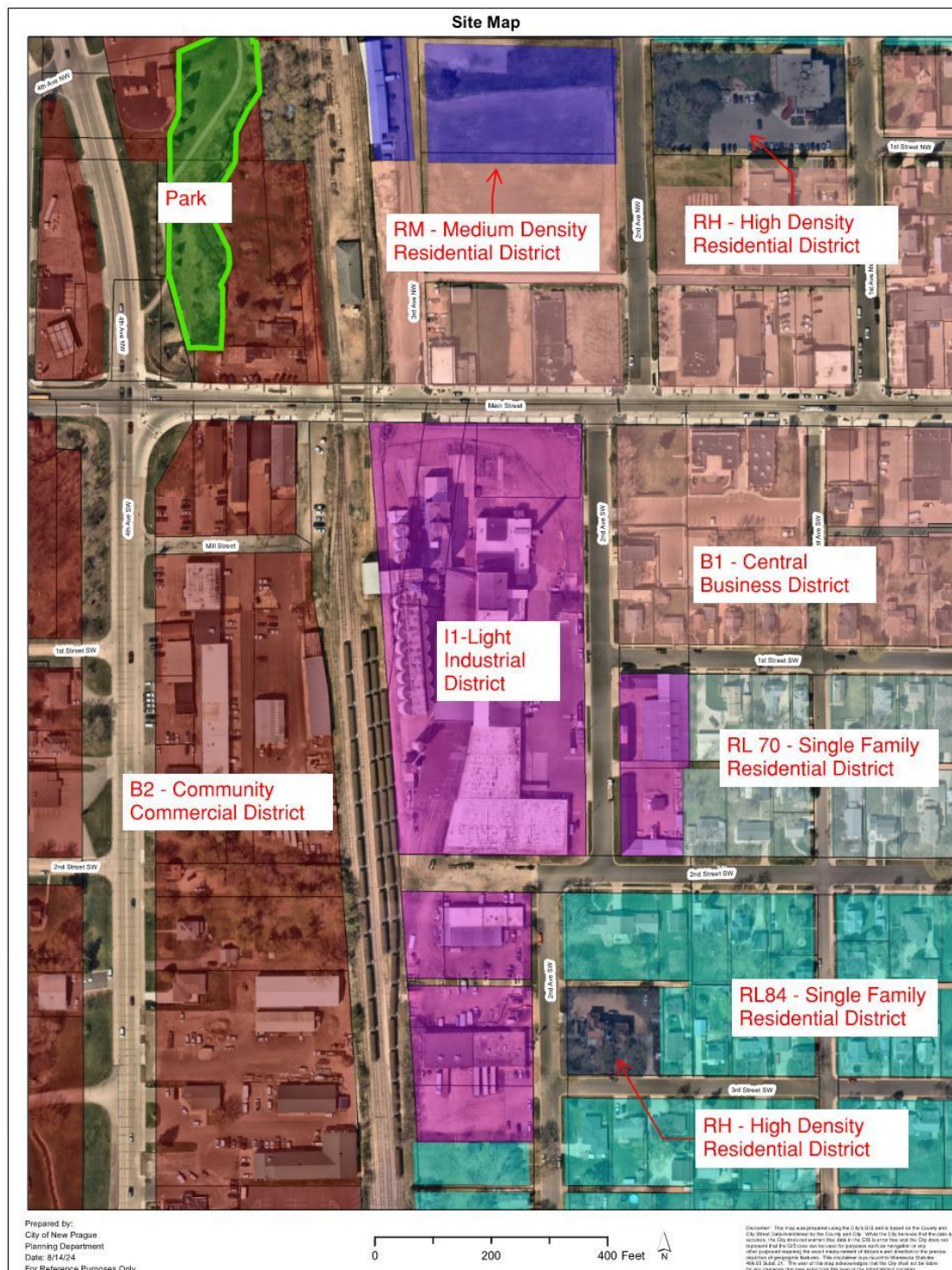
- 1. The electronic variable message sign cannot change more than once per ten (10)seconds.
- 2. The sign must be located outside the landscaping easement in the northeast corner.
- 3. The placement of the sign is allowed as shown on a site plan with the specific date.

Attachments

- 1. Site Map Aerial – Dated 8/14/24
- 2. Location of Sign – Dated 11/4/24
- 3. Site Map Aerial Zoning – Dated 8/14/24
- 4. Square Footage of Main Floor – Dated 11/1/24
- 5. Freestanding Sign Plan — Dated 10/30/24
- 6. Draft Design of the Sign – Dated 10/3/24
- 7. Google Street Map – Dated August 2023
- 8. Pictures – Dated 11/5/24

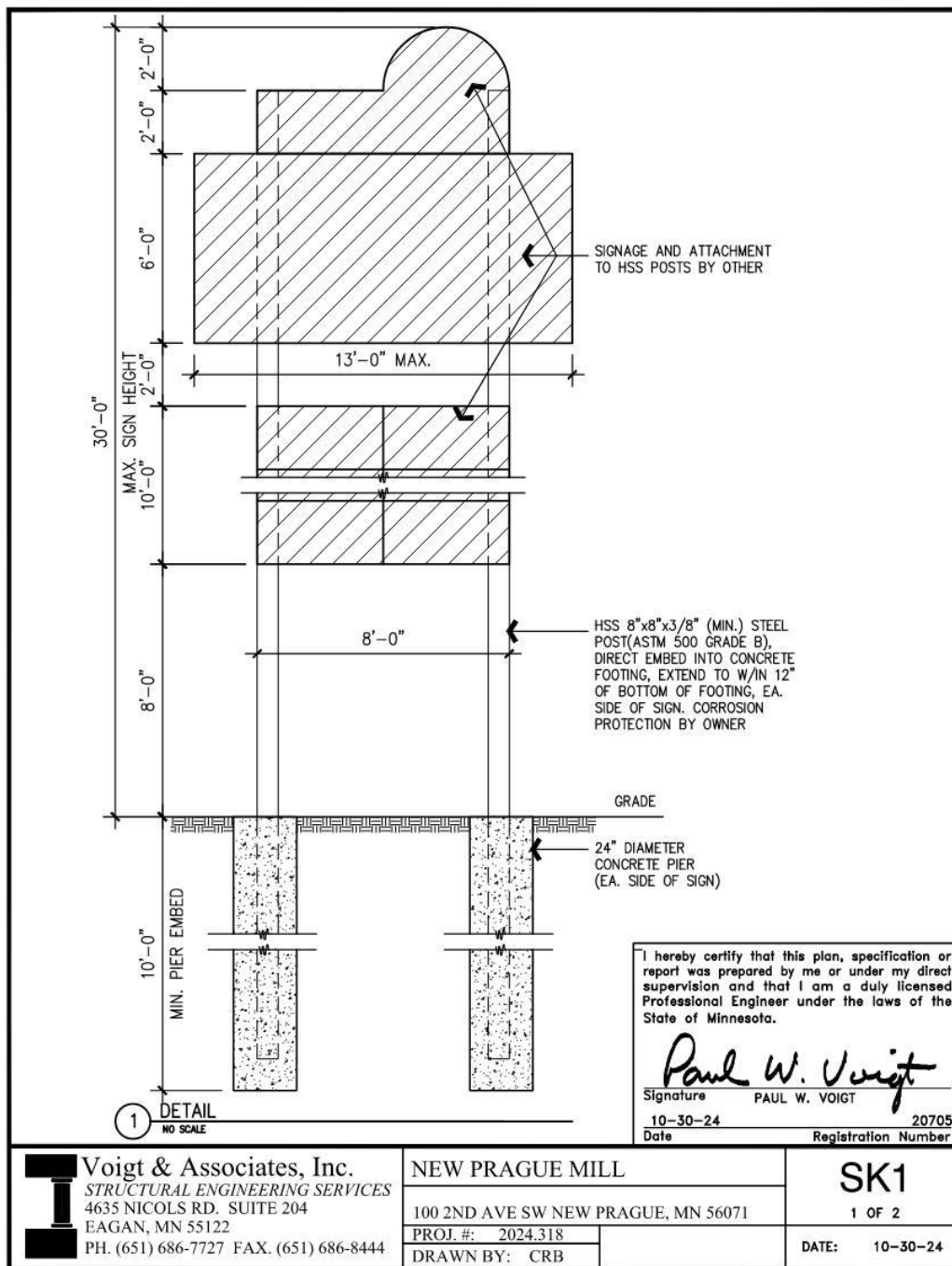


Sign Location

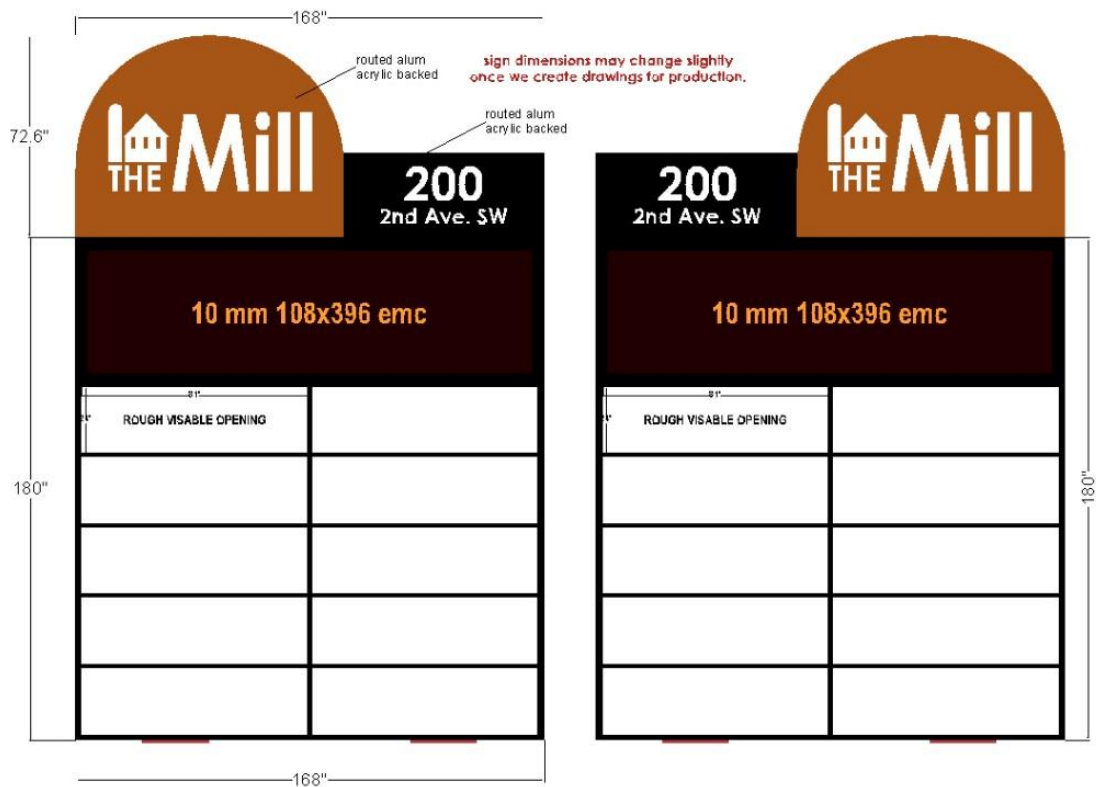


Site Map of Zoning Districts

New Prague Mill, LLC – Variance #V9-2024
November 20, 2024 Planning Commission Meeting
Page 12 of 18



Freestanding Sign Plan



Draft Design of the Sign



Google Street Maps – Looking Southeast from Main St W



Google Street Maps – Looking Northwest from 2nd Ave SW



Looking Towards the Mill from the Intersection of Main St W and 2nd Ave SW



Looking South from Main St W



Looking West from 2nd Ave SW



Looking North from the Sidewalk Off of 2nd Ave SW