

**RESOLUTION #CC-26-09-21-04**

**RESOLUTION OF THE NEW PRAGUE CITY COUNCIL APPROVING  
CONDITIONAL USE PERMIT #C4-2026 TO ALLOW FOR A SMALL ENGINE  
REPAIR SHOP AND INTERIM USE PERMIT #I1-2026 TO ALLOW FOR EXTERIOR  
STORAGE IN ASSOCIATION WITH A SMALL ENGINE REPAIR SHOP AT 401  
MAIN ST W, AS PROPOSED BY JOHN LEMKE JR.**

**WHEREAS**, John Lemke Jr., applicant, regarding the following real estate in the County of Scott County to wit:

Lot 1, Block 3, Modified Plat of that portion of Philipp's Addition to Praha lying West of the Minneapolis and St. Louis Railroad, Scott County, Minnesota.

is requesting a Conditional Use Permit to allow for a small engine repair shop in the West Downtown Overlay District, and an Interim Use Permit to allow for exterior storage in association with a small engine repair shop; and,

**WHEREAS**, the New Prague Planning Commission has finished a review of the application and made a report pertaining to said request (#C4-2026 & #I1-2026), a copy of said report has been presented to the City Council; and,

**WHEREAS**, the New Prague Planning Commission on the 16<sup>th</sup> day of September, 2026, after due consideration of presented testimony and information, voted **unanimously (4-0)** to forward the matter to the City Council with a recommendation for approval; and,

**WHEREAS**, the New Prague City Council finds the following conditions for the Conditional Use Permit:

- A. 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 because the use will have a minimal overall impact due to only having two full-time employees.
- B. The use will be sufficiently compatible or separated by distance or screened from adjacent residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land because the property is only adjacent to a singular residential property, which is heavily screened by existing vegetation and will be screened by a 6' tall privacy fence, and the property has been used for similar uses in the past without depreciation to the residential property.

- C. The structure and site shall have an appearance that will not have an adverse effect upon adjacent residential properties because the exterior of the property will be improved and retain largely the same appearance, whereas the current vacant building and property is slowly deteriorating.
- D. The use is reasonably related to the overall needs of the City and to the existing land use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- E. The use is consistent with the purposes of the Unified Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use because minor automobile repair is a conditional use within the B-1 Central Business Zoning District and thus in the West Downtown Overlay District, and the proposed use is promoting redevelopment within the West Downtown Overlay District.
- F. The use is not in conflict with the Comprehensive Plan of the City because the site is guided as Downtown Flex.
- G. The use will not cause traffic hazard or congestion because the applicant stated the business will have a maximum of approximately 12 daily trips during seasonal peaks on weekdays at the business, which is a lower amount than this site has had in the past as a gas station or car dealership.
- H. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because all of the following have already been provided to the site and the proposed uses will not require any additional facilities.

**WHEREAS,** the New Prague City Council approves the request for the Conditional Use Permit with the following conditions:

- a. This Conditional Use Permit shall be applicable for any expansions of the building within the area designated as exterior storage as a portion of the requirements of Interim Use Permit #I1-2026, without the amendment of this Conditional Use Permit being required.
- b. The applicant must surface the parking lot with concrete or bituminous prior to June 15<sup>th</sup>, 2027. Prior to the surfacing of the parking lot, only a temporary certificate of occupancy shall be issued by the City.
- c. Access to this site, and final approval of this Conditional Use Permit, must be approved by MnDOT as this site has direct access to Highway 13/19.

- d. All exterior improvements, including painting and other maintenance, must be completed prior to a temporary certificate of occupancy being issued.
- e. Repair work shall only be conducted within the building.
- f. The outdoor storage of items is only approved within the exterior storage area approved by IUP #I1-2026.
- g. The building must meet all requirements of the Minnesota State Building Code for the property use.
- h. The applicant shall reimburse the City for all fees and costs it incurs from processing, reviewing, and acting on the application approved herein, including but not necessarily limited to any fees charged by the city's professional consultants in accordance with established rates.
- i. The property shall be subject to all requirements of the New Prague City Code and shall otherwise comply with all applicable federal, state, and local laws, rules, and regulations.

**WHEREAS**, the New Prague City Council finds the following conditions for the Interim Use Permit:

- 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 Unified Development Code because the property is zoned West Downtown Overlay District, and the Unified Development Code states that interim use permits may be considered for uses not explicitly permitted in this overlay district.
- B. The proposed interim use is presently acceptable but, given anticipated development, will not be acceptable in the future because the proposed exterior storage will be screened as to obscure it from public view prior to the expansion of the building for interior storage.
- C. The proposed use will not hinder permanent development of the site because it will allow the applicant to utilize it for storage for a small engine repair shop prior to the expansion of the building for interior storage.
- D. The proposed use will not adversely impact implementation of the Comprehensive Plan for the area because the building being expanded will eliminate the interim use and make it wholly confirming with the Conditional Use Permit #C4-2026 granting the use at the site.
- E. The proposed use will not be injurious to the surrounding neighborhoods or otherwise harm the public health, safety, and welfare because the exterior storage will be screened by a 6-foot tall opaque privacy fence and locked so as to prevent view or access of the storage to the public.

- 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 because the proposed exterior storage will not create an extra burden on any public facilities.
- G. Adequate utilities, access roads, drainage, and necessary facilities have been or will be provided because the exterior storage will not create an extra burden on any public facilities.
- H. The date or event that will terminate the use has been identified with certainty because the exterior storage must be discontinued before 3 years after the passing of this Interim Use Permit, or at the time the building is expanded to provide interior storage.
- I. The proposed exterior storage will not impose additional costs on the public if it is necessary for the public to take the property in the future.

**WHEREAS**, the New Prague City Council approves the request for the Interim Use Permit with the following conditions:

- i. This Interim Use Permit shall be contingent on Conditional Use Permit #C4-2026 permitting a small engine repair shop at this property.
- ii. There shall be a 6-foot tall opaque fence screening the exterior storage at all times it is under use. This fence shall be kept in reasonably good condition, as determined by the City. Any exterior access to this exterior storage shall be locked at all times.
- iii. Items that are stored externally may not be repaired while outside of the building so as to create noise, exhaust, or other potential nuisance to the public and the adjacent residential property.
- iv. This Interim Use Permit is specifically permitting exterior storage at the west side of the structure located at 401 Main Street west, that shall not extend further south towards the street then the principal building sits and shall not extend further west then the existing shed at the property.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of New Prague, Minnesota, that the request for Conditional Use Permit #C4-2026 to allow for a small engine repair shop and the request for Interim Use Permit #I1-2026 to allow for exterior storage in association with a small engine repair shop, as proposed by John Lemke Jr., is hereby **approved** based on the above findings.

This Conditional Use Permit and Interim Use Permit is approved, effective immediately upon its passage and without publication.

**Passed this 21<sup>st</sup> day of September, 2026.**

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Charles L. Nickolay, Mayor

*State of Minnesota* )

)ss.

(CORPORATE ACKNOWLEDGMENT)

*County of Scott & Le Sueur* )

*Subscribed and sworn before me, a Notary Public this \_\_\_\_\_ day of \_\_\_\_\_, 2026.*

\_\_\_\_\_  
*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 \_\_\_\_\_, 2026.*

\_\_\_\_\_  
*Notary Public*

THIS INSTRUMENT DRAFTED BY:

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