

**Meeting Minutes**  
**New Prague Special Planning Commission**  
**Wednesday, November 1, 2023**

**1. Call Meeting to Order**

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

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

**2. Approval of Meeting Minutes**

**A. September 27, 2023 Regular Meeting**

A motion was made by Pike and seconded by Bentson to approve the September 27th regular meeting minutes. Motion carried (4-0).

**3. OLD BUSINESS**

**A. Preliminary and Final Plat of Pond Third Addition**

Planning Director provided a summary of the request and the discussion that occurred during the public hearing on September 27<sup>th</sup>, 2023. He noted that since last month staff had collected additional information on traffic, property values and water quality. He stated that a traffic study was completed from 10/10 to 10/17 that showed a minor speeding issue which had been noted in previous traffic studies and that the Police Department has previously had the speed trailer put on 7<sup>th</sup> Street along with enhanced enforcement at times and that long term staff is looking onto a grant to obtain a speed sign and even longer term look into a mini-roundabout or other systematic changes in the area, but that there was no concern with the proposed for additional lots and the effect they would have on the traffic. He stated that regarding property values he had spoken with Scott County Assessor Michael Thompson who noted that based on similar situations elsewhere in the County he does not believe the development and homes would have a negative impact on neighboring property values and that the lots are of a similar size and density to lots directly to the east. He stated that regarding water quality, the question was raised at the public hearing about a 35% impervious surface limitation and clarified that the City does not have an impervious surface requirement at this time. The number listed in the City's water plan was just used for illustrative purposes and that the City only has a 40% lot coverage limit at this time, but even if the City had a 35% impervious surface requirement it would be met with the plat. He stated that staff recommends approval with the findings and conditions listed in the staff report.

Commissioner Meyer asked about the sidewalk that is required.

Planning Director Ondich stated that it would be installed by the developer on the west side of Lexington Ave. N. due to topography issues with a sidewalk going in on the east side of Lexington Ave. N.

Commissioner Ryan asked how the driveway would work.

Planning Director Ondich stated that the City will require a shared driveway easement for maintenance and use of the driveway which is similar to agreements in place at other developments, such as the townhome development south of Coborns.

Commissioner Ryan asked about the type and style of the homes proposed for the lot.

Michael Weinandt, applicant, stated that what was shown on the plat was just for illustrative purposes only.

Planning Director Ondich stated that this is not a Planned Unit Development type of review. The home aesthetics are not up for review and that the home plans would simply need to meet the zoning ordinance requirements.

Commissioner Ryan noted that adjacent residents were concerned about cookie cutter type homes and said he just wanted to explore the option to restrict their appearance.

General consensus of the Planning Commission asked staff to check with the City Attorney regarding a condition for home aesthetics.

Commissioner Pike stated that the question that had come up last month regarding each home having its own driveway direct to 7<sup>th</sup> Street NE versus the shared driveway. He believed separate driveways should not be considered because there would be more access or conflict points. The vehicles coming from the shared driveway will be exiting forward into the road versus backing up into the road which he believed was safer.

Commissioner Meyer said he brought up the driveway issue previously as it thought it would be timely to review it now than to have a request come up in the future.

A motion as made by Pike, seconded by Bentson, to recommend approval and forward the preliminary and final plat of Pond Third Addition to the City Council with the following findings:

1. The plat complies with the purpose and intent of the New Prague Comprehensive Plan and Subdivision Ordinance.
2. The plat conforms to the requirements of the RL-90 Single Family Residential Zoning District in which it is located.

And with the following conditions:

1. Approval is granted in general accordance with the Preliminary Plat submittal dated 8/16/2023 on file with the New Prague Planning Department.

2. Approval is granted in general accordance with the Final Plat submittal dated 9/11/2023 on file with the New Prague Planning Department.
3. The Final Plat must be recorded within 90 days of the date of the City Council granting approval per Chapter 051 (E) of the Subdivision Ordinance.
4. Approval is granted in general accordance with the grading plan submittal dated 8/14/2023 on file with the New Prague Planning Department.
5. Approval is subject to all recommendations of the City Attorney.
6. Approval is subject to all recommendations of the City Engineer, Public Works Director, Utilities General Manager, Fire Chief and Police Chief.
7. Development fees are required to be collected as follows prior to signing the final plat:
  - a. \$6,513.48 is owed for Park Dedication.
  - b. \$150 is owed for the Sidewalk Fee.
  - c. \$17,531.25 is owed for moving and installing electric utilities to be paid to the New Prague Utilities Commission.
8. The applicant is required to install a 5' wide concrete sidewalk along the east side of proposed lot 4 per the City's standard specification and with city staff inspection.
9. A single row of trees at 30' intervals must be maintained along the south side of the property along 7<sup>th</sup> Street NE is required per Chapter 65 of the Subdivision Ordinance.
10. Access is only allowed to Lexington Ave. N. and 7<sup>th</sup> Street NE utilizing existing curb cuts.
11. A shared private access driveway easement/agreement must be filed on the titles of all properties within the plat area concerning private ownership and maintenance of the shared private driveway.
12. The shared private access driveway must be signed as no parking.
13. A shared private utility easement/agreement must be filed on the titles of all properties within the plat area concerning private ownership and maintenance of the shared private water and sewer service lines.
14. 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.
15. 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.
16. All homes are required to be setback at least 6' from the existing conservation easement.
17. All homes are required to provide for driveways at least 22' in length between the garage and private access driveway.
18. Low building elevations must be elevated to at least 996.0'.

Motion carried (4-0).

#### **4. NEW BUSINESS**

##### **A. Concept Review of Zoning Ordinance Amendment – Commercial Building Design/Site Requirements for the B-1 District**

Planning Director Ondich stated that since last month, he and Planner Chapman had continued to research the topic and possibly amending Section 726 of the Zoning Ordinance. However, staff believes that moving forward with changes should wait until the Comprehensive Plan update is completed as it is the guiding document for the zoning ordinance.

A motion was made by Ryan, seconded by Bentson to table the Concept Review of Zoning Ordinance Amendments for Commercial Building/Site Design Requirements for the B-1 District until the Comprehensive Plan Update process is completed. Motion carried (4-0).

## **5. Miscellaneous**

### **A. Complete Streets Policy Discussion**

The topic was tabled for next month's meeting.

### **B. Comprehensive Plan Update**

Planning Director Ondich explained that Steering Committee Meeting #4 is tentatively scheduled for Thursday November 9<sup>th</sup> to review the land use plan and discuss a public open house and joint Planning Commission and City Council meeting.

### **C. Monthly Business Updates**

The update was reviewed as information only.

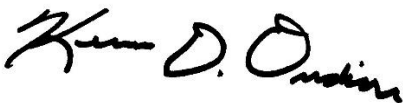
### **D. Transition to Digital Packets**

Planning Director Ondich stated that packets will continue to go out in paper format and electronic format but eventually will go completely electronic.

## **6. Adjournment**

A motion was made by Ryan, seconded by Pike, to adjourn the meeting at 7:03 pm. Motion carried (4-0).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth D. Ondich". The signature is stylized with a large "K" and "O".

Kenneth D. Ondich  
Planning / Community Development Director