

**CITY OF NEW PRAGUE  
RESOLUTION #23-11-20-01**

**VARIANCE FROM STANDARD FOR STATE AID OPERATION FOR  
PROJECT NO. S.A.P. 237-123-001.**

**WHEREAS**, the City of New Prague is preparing plans for the full street and utility reconstruction of 1<sup>st</sup> Street SE between Lexington Avenue S and 7<sup>th</sup> Avenue SE, State Aid Project No. 237-123-001;

**AND WHEREAS**, Minnesota Rules for State Aid Operation 8820.9936 is used to determine the minimum design standards for urban reconstruction projects. The minimum design standard would require a total street width as measured from the face of curb of 34-feet, including two driving lanes at 10-feet wide and two parking lanes at 7-feet wide;

**AND WHEREAS**, the reasons for this variance requests are:

1. The existing street width is 30.5-feet as measured from face-of-curb and has adequately provided parking for residents and traffic flow.
2. The proposed street is proposed to be shifted approximately 2-feet north to match the existing street one block to the east.
3. It is proposed to construct a 5-foot wide sidewalk along south side of the street where there currently is not one and will provide connection to the sidewalk also being added to the block to the east which connects to a commercial zoned area.
4. The street parallels Minnesota Trunk Highway 19 and receives primarily local residential traffic. The remaining part of the street east of 7th Avenue SE is wider and has truck traffic that primarily access from either 7th Avenue SE or 10th Avenue SE.
5. City planning and public works do not want to encourage additional truck traffic on to this street by widening it. Adjacent streets are more suitable for this purpose.
6. Widening the pavement an additional 3.5-feet will negatively impact adjacent properties which will experience a loss of yard due to the shifted roadway on the north side and the new 5-foot wide sidewalk on the south side.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NEW PRAGUE, MINNESOTA:**

1. That the City of New Prague City Council does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9936 Minimum Design Standards, Urban; New or Reconstruction Projects, to allow a 30.5-foot street in lieu of a 34-foot wide street;
2. That the City of New Prague City Council hereby indemnifies, saves and hold harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of (project descriptions) in accordance with Minnesota Rules 8820.9941 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

# City Council Proceedings

State of Minnesota  
Counties of Scott & Le Sueur  
City of New Prague

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Adopted by the council this 20th day of November, 2023.

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Duane J. Jirik  
Mayor

ATTEST:

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Joshua M. Tetzlaff  
City Administrator